

RESOLUTIONS AND LEGAL NOTICES OF HEARINGS LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:
<http://HuntingtonNY.gov>

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilwoman	Tracey A. Edwards
Town Clerk	Jo-Ann Raia
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 10, 2015

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 8:06 P.M. Closed: 8:07 P.M.

7:00 P.M. – TOWN HALL

Opened: 7:03 P.M. Closed: 8:06 P.M.

(Resolutions #2015-53 to 2015-101)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 2-2015, amending the Code of the Town of Huntington, Chapter 2 (Fair, Open and Accountable Government).

(Local Law Introductory No. 2-2015)

Scheduled as per Resolution 2015-50 at 1-14-2015 Town Board Meeting

DECISION RESERVED

2. Consider adopting Local Law Introductory No. 3-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Buttonwood Drive/ Deforest Road, Dix Hills – Parking Restrictions.

(Local Law Introductory No. 3-2015)

Scheduled as per Resolution 2015-51 at 1-14-2015 Town Board Meeting

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - **FP**
Councilwoman Susan A. Berland - **SB**
Councilman Eugene Cook - **EC**
Councilman Mark A. Cuthbertson - **MC**
Councilwoman Tracey A. Edwards- **TE**

2015-53.	AUTHORIZE the Supervisor to apply for and receive non-competing continuation of funding from the U.S. Department of Health and Human Services, for the Huntington Youth Bureau Sanctuary Runaway, Homeless Youth Program. (Period: 9/30/2015-9/29/2016)	SB EC	FP	<u>5</u>
2015-54.	AUTHORIZE the Supervisor to apply for and receive funding from the Alzheimer's Foundation of America (AFA) for the provision of Brain Gym classes to enhance the Adult Day Care Program nunc pro tunc. (Period: 1/1/2015-12/31/2015)	FP SB	EC	<u>5</u>
2015-55.	AUTHORIZE the Supervisor to execute an extension to the requirements contract for light and heavy duty manual transmission and rear differential, rebuild and repair with Drive Train Truck Parts, Corporation. (Extension: One year commencing 4/18/2015)	MC EC	SB	<u>5</u>
2015-56.	AUTHORIZE the Supervisor to execute a requirements contract for the bus services for various recreation programs with Baumann & Sons Buses, Inc. and Coastal Charter Service Corp. (Period: One year-not prior to 3/31/2015)	SB	EC	<u>5</u>
2015-57.	AUTHORIZE the Supervisor to execute a requirements contract for the heating ventilation, air conditioning (HVAC) and refrigeration service, maintenance and installation with Absolute Control HVAC Corp. (Period: One year-not prior to 4/6/2015)	MC	EC	<u>5</u>
2015-58.	AUTHORIZE the Supervisor to execute a requirements contract for the lawn and landscape maintenance for the Highway Department with Looks Great Services, Inc. (Period: One year)	EC	FP	<u>5</u>
2015-59.	AUTHORIZE the Supervisor to execute a contract for professional legal services with Leventhal, Cursio, Mullaney & Spector, LLP. (Period: One year)	FP TE	SB	<u>5</u>
2015-60.	AUTHORIZE the Supervisor to execute a contract with the Huntington YMCA for the use of the Dix Hills Park Pool. (Re: 6/29/2015-8/14/2015; between the hours of 6:00 AM – 9:00 AM; Monday through Friday)	MC	SB	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-61. AUTHORIZE the use of Dix Hills Park Pool by the children of Tri Community & Youth Agency upon payment of a flat fee for the summer of 2015.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-62. AUTHORIZE the Supervisor to execute an agreement with I Like Sports Inc. D/B/A Jump Bunch to provide a Karate Kids Program for children. (Period: 6/1/2015-6/1/2017)	<u>MC</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2015-63. AUTHORIZE the Supervisor to execute a license agreement to rent an apartment at Fuch's Pond Preserve in Northport, New York. (Re: Landon Simmons; 21 Norwood Road, Northport; Period: One Year)	<u>MC</u>	<u>SB</u>	<u>5</u>
2015-64. AUTHORIZE the Supervisor to execute a license agreement with the Huntington YMCA for the provision of an instructional sailing and kayaking program at Centerport Beach and the use of the Centerport Beach Boathouse. (Centerport Beach Period: 6/20/2015-9/30/2015; Centerport Beach Boathouse Period: 2/17/2015-3/1/2016)	<u>MC</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2015-65. AUTHORIZE the Supervisor to execute a license agreement with Vicobe Productions for use of Crab Meadow Beach for a sprint triathlon on May 30, 2015 and May 31, 2015, and further granting an aquatic permit in conjunction with such event. (Re: 5/30/2015- 9:00 AM – 6:00 PM; 5/31/2015- 4:00 AM – 12:00 PM)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-66. AUTHORIZE the Supervisor to execute an agreement with R&C Formation, Ltd. for groundwater and surface water monitoring in compliance with the record of decision for the East Northport Landfill. (Period: Through 12/31/2015)	<u>MC</u>	<u>FP</u>	<u>5</u>
2015-67. AUTHORIZE the Supervisor to execute New York State Liquor Authority Special Event Permit applications on behalf of various organizations for special events scheduled to be held on Town property. (Period: 1/1/2015-12/31/2015)	<u>TE</u>	<u>EC</u>	<u>5</u>
2015-68. AUTHORIZE the Supervisor to designate individuals as user managers for the Transit Award Management System of the Federal Transit Administration.	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-69. AUTHORIZE the execution of an agreement with Pace Analytical Services, Inc. to provide annual laboratory services for 2015 for the Dix Hills Water District. (Period: 1/1/2015-12/31/2015)	<u>MC</u> <u>SB</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:		OFF.	SEC.	VOTE
2015-70.	AUTHORIZE concerned Long Island Mountain Bicyclists (CLIMB) to construct and maintain trails at Meadowlark Park. (Re: Veterans Parks Complex; Period: Five years)	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-71.	AUTHORIZE application to National Wildlife Federation's Trees for Wildlife Program.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-72.	AUTHORIZE the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its Special Districts-various departments.	<u>MC</u>	<u>SB</u>	MC-AYE SB-AYE FP-AYE EC-AYE <u>TE-ABST</u>
2015-73.	AUTHORIZE the Comptroller to amend the 2015 Operating Budget for snow removal expenses for the Town of Huntington and its special districts – Highway Department.	<u>MC</u>	<u>TE</u> <u>SB</u>	<u>5</u>
2015-74.	ABOLISH and adjust the imprest petty cash funds for various departments of the Town of Huntington.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-75.	ACCEPT the dedication of Kellie Court, Ashley Court and twelve drainage easements for the subdivision known as Brittany Estates.	<u>SB</u> <u>MC</u>	<u>FP</u>	<u>5</u>
2015-76.	ACCEPT donations from various merchants and businesses to the Town of Huntington Senior Center, nunc pro tunc. (Re: Old Fields Restaurant, Jimmy's Pizza of Greenlawn, Greenlawn Family Restaurant, Subway of Greenlawn, Urban Coffee, Curves Greenlawn, Greenlawn Hairstyling Boutique, R & J Barber Shop, Vincent's Barber Shop, Diva Nails and Spa, Tips and Toes Nail Salon, Annie's Fancy Nails, Pawfect Pet Den, Grooming on Broadway, Waldbaums, Greenlawn Hardware, Dairy Mart Greenlawn)	<u>TE</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2015-77.	ADOPT the recommendations of the administrative hearing officer in the matter of the appeal of Jose Flores (Re: Transportation for Hire Operator's Permit). (Re: Approval)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-78.	ADOPT the recommendations of the administrative hearing officer in the matter of the appeal of George C. McLaughlin (Re: Transportation for Hire Operator's Permit). (Re: Approval)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-79.	ADOPT the recommendations of the administrative hearing officer in the matter of the appeal of Bryan K. Zapata, Jr. (Re: Transportation for Hire Operator's Permit). (Re: Approval)	<u>FP</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-80. AMEND Town Board Resolution 2014-538 scheduling regular meetings of the Town Board of the Town of Huntington for the Year 2015. (Re: April 21, 2015 at 7:00 PM)	<u>FP</u>	<u>TE</u> <u>SB</u>	<u>5</u>
2015-81. DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same nunc pro tunc.	<u>EC</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2015-82. ESTABLISH the compensation of the Commissioners of the Greenlawn Water District.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-83. EXTEND the time to make a determination regarding the adoption of Local Law Introductory Number 45-2014, considering Zone Change application #2013-ZM-396, known as Matrix Investment Group, LLC, to change the Zoning from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District, and to revoke the Covenants and Restrictions previously recorded as part of the Hagstrom Buick Zone Change, #95, for property located on the northwest corner of Jericho Turnpike and West Hills Road, Huntington Station, SCTM #0400-192-01-042 & 043. (Re: Time extended to 6/7/2015)	<u>FP</u>	<u>EC</u>	<u>FP-AYE</u> <u>EC-AYE</u> <u>SB-AYE</u> <u>TE-ABST</u> <u>MC-ABST</u>
2015-84. REAPPOINT Zoning and Planning Board members of the Town of Huntington. (Re: Christopher Modelewski-Zoning Board of Appeals; David Walsdorf- Planning Board)	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>SB-AYE</u> <u>TE-AYE</u> <u>EC-NO</u>
2015-85. RESCIND Resolution 2015-19 and granting an Aquatic permit to Camp Sunshine for its annual Freezin' for a Reason Polar Dip Fundraiser event at Crab Meadow Beach and authorizing the Supervisor to execute a license agreement in conjunction with such event.	<u>MC</u>	<u>EC</u>	<u>5</u>
2015-86. ENACTMENT: ADOPT Local Law Introductory Number 51-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-3, Schedule C. Re: East Deer Park Road, Dix Hills – Prohibited Turns.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-87. ENACTMENT: ADOPT Local Law Introductory No. 52-2014, amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal).	<u>FP</u> <u>TE</u>	<u>SB</u>	<u>5</u>
2015-88. ENACTMENT: ADOPT Local Law Introductory No. 53-2014, amending the Code of the Town of Huntington, Chapter 130 (Junkyards).	<u>MC</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-89. ENACTMENT: ADOPT Local Law Introductory No. 54-2014, amending the Code of the Town of Huntington Chapter 149 (Peddlers and Solicitors).	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-90. ENACTMENT: ADOPT Local Law Introductory No. 55-2014, amending the Code of the Town of Huntington Chapter 164 (Sewer Use Management).	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-91. ENACTMENT: ADOPT Local Law Introductory No. 56-2014, amending the Code of the Town of Huntington Chapter 180 (Taxicabs and Vehicles for Hire).	<u>SB</u> <u>MC</u>	<u>FP</u>	<u>5</u>
2015-92. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule D: William/Ryan Foster, 6 Sexton Court, Huntington, SCTM# 0400-166.00-01.00-157.000; Eun Hee-Choi/Soon Ja Choi, 35 Vanderbilt Parkway, Dix Hills, SCTM# 0400-245.00-03.00-052.000; 1081 EJT LLC, 1081 East Jericho Turnpike, Huntington, SCTM#0400-210.00-01.00-081.003)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-93. ENACTMENT: ADOPT Local Law Introductory No. 58-2014, amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances) Article VII (Blighted Property).	<u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2015-94. ENACTMENT: ADOPT Local Law Introductory No. 59-2014, amending the Code of the Town of Huntington to add a new Chapter 158 (Huntington Public Benefit Funds), Article I (General Provisions), Article II (Huntington Beautification Fund).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-95. ENACTMENT: ADOPT Local Law Introductory No. 60-2014 amending the Code of the Town of Huntington, Chapter 157 (Public Benefit Incentives), Article III (Solar Energy System Fast Track Permit Process).	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-96. ENACTMENT: ADOPT Local Law Introductory No. 61-2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article X (The Steep Slopes Conservation Law), Article XI (Conditional Uses; Supplementary Regulations) and Article XVII (Planning Board Approvals).	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-97. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 420 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: Marc Iervolino; SCTM#0400-073.00-02.00-037.000)	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:		OFF.	SEC.	VOTE
2015-98.	ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 425 Park Avenue, Huntington –Old Huntington Green Historic District. (Applicant: Town of Huntington-Department of Engineering; SCTM#0400-073.00-01.00-036.000)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-99.	SCHEDULE A PUBLIC HEARING: March 10, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 4-2015, amending the Code of the Town of Huntington, Chapter 153 (Plumbing).	<u>MC</u>	<u>SB</u>	<u>5</u>
2015-100.	SCHEDULE A PUBLIC HEARING: March 10, 2015 at 2:00 PM To consider awarding a franchise agreement to Long Island Kayak Experience, Inc. to conduct a kayaking program for the Town of Huntington Department of Parks and Recreation.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-101.	SCHEDULE A PUBLIC HEARING: March 10, 2015 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: One Thousand C LLC, 1000 West Jericho Turnpike, Huntington, SCTM#0400-189.00-01.00-001.000)	<u>SB</u>	<u>EC</u>	<u>5</u>

AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: FEBRUARY 10, 2015

RESOLUTIONS:

OFF. SEC. VOTE

2015-BT.

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: FEBRAURY 10, 2015

RESOLUTIONS:

OFF. SEC. VOTE

2015-CD

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: FEBRUARY 10, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-LDC1.RESCIND electronic LDC Resolution 12/4/2014 (1) and authorizing the purchase of needed training and equipment for utilization at Huntington Opportunity Resource Center, 1264 New York Avenue, Huntington Station, NY.

**TE FP
SB 5**

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: FEBRUARY 10, 2015**

COMMUNICATION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Fan Chen for TOA Asian Fusion (369 New York Avenue, Huntington);
From: Kevin Nathan for Appliance World of Huntington, Inc. (414 New York Ave);
From: Pat DeLuca for Rudy Acosta or name to be determined (16 West Jericho Tpke, Huntington Station); From: Jean Isernio for BurgerFi (6234 Jericho Tpke, Commack);
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Angel Sorto for La Hacienda Rotisserie Chicken (1624 New York Avenue, Huntington Station); From: Jeffrey Beis for The Clubhouse; From: Kevin Morrison for Morrison's Shamrock Pub; From: Javier Lamar for Maria's Famous Chicken & Ribs (1044 C New York Avenue, Huntington);
3. Notice received from the Village of Northport, regarding a Board of Zoning Appeals meeting to be held on January 28, 2015 at 7:00 PM for properties located at: 1) 117 Stanton Street 2) 3 Turnip Hill 3) 81A Fort Salonga Road 4) 25 Bluff Point Road.
4. Letter received in support of permanent preservation of Pickle Park in Greenlawn from: Marilyn Ronca, Laura Antonison & Family, Kristin Johnson, Eleanor/Dennis Hasher, Signature illegible; Nicole Jennings, Larry Boehelman,
5. Email received from Barbara Wildfeir regarding her support of Dr. W. Walters amendment suggestion for Local Law Introductory Number 59-2014. This is in regard to Public Hearing number 13 on the January 14, 2015.
6. Letter forwarded to the Town Clerk's Office from the Office of Mark Cuthbertson, Councilman from George & Isabelle Pullis of Centerport. The letter is against the proposed development of 9 condominium units in Centerport in the area of 25 A.
7. Email received from June Margolin, Coordinator of the Huntington Matters Neighborhood Watch. As per Supervisor Petrone's request at the January Town Board meeting, Ms. Margolin included a copy of the Huntington Matters Neighborhood Watch, to be included on the Town of Huntington website.
8. Legal Notice received from the Incorporated Village of Laurel Hollow regarding a Board of Trustee hearing to be held on February 11, 2015 at 7:30 PM. The hearing is regarding various introductory local laws that are being considered for adoption.

DISTRIBUTION

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

Supervisor
Town Board
Town Attorney
cc: Parks & Recreation

Supervisor
Town Board
cc: Town Attorney

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

Supervisor
Town Board
Town Attorney
cc: Public Safety

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

9. Email received from Stephanie Rubino Gianakas regarding hazardous conditions created by the snow plowing on Teresa Lane in East Northport. Additional emails received from Ms. Gianakas and Chris Gianakas regarding the aforementioned situation on February 2 and 3, 2015.
Email received from Peter S. Gunther, Superintendent of Highways for the Town of Huntington, advising that he personally visited the above location on February 3 and February 4. The situation was resolved on February 4, when he had several truckloads of snow removed. The homeowner was happy with the results.
- M. Cuthbertson, Councilperson
Town Attorney
cc: Highway
10. Email received from Judith McElwain regarding rental housing. The writer indicates that Huntington is in need of more rental housing for people earning a range of incomes.
- S. Berland, Councilwoman
Town Attorney
cc: Planning & Environment
11. Emails/ letters received expressing her support for more affordable rental housing in Huntington from Pilar Moya-Mancera, Christine Pisani, Marcia Spect, Dr. Charles Kerner and Diane Weaving.
- E. Cook, Councilman
Town Attorney
cc: Planning & Environment
12. Letter received from Andrew Freleng, Chief Planner for the Department of Economic Development and Planning for Suffolk County, regarding Town of Huntington Resolution # 2015-49. The letter indicates it is a matter for local determination and this decision should not be construed as either an approval or disapproval.
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment
13. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing held on January 22, 2015 and amended conditions of Change of Zone Petition #92-2 (area of Henry Street and Crooked Hill Road, Commack).
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE NON-COMPETING CONTINUATION OF FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE HUNTINGTON YOUTH BUREAU SANCTUARY RUNAWAY, HOMELESS YOUTH PROGRAM

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN COOK**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Sanctuary Project provides runaway and homeless youth services to Town residents including referrals to short-term emergency housing, crisis intervention, youth and family counseling, advocacy and independent living skills training; and

WHEREAS, funding in the amount of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) DOLLARS is available from the U.S. Department of Health and Human Services for the continuation of the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program for the period September 30, 2015 to September 29, 2016.

WHEREAS, the authorization to apply for and receive funding is not an action as defined 6 N.Y.C.R.R., §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funding from the U.S. Department of Health and Human Services in the amount of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) DOLLARS for the period September 30, 2015 through September 29, 2016 to implement the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program and to execute any documents in connection therewith upon such terms and conditions as approved by the Town Attorney.

VOIE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE ALZHEIMER'S FOUNDATION OF AMERICA (AFA) FOR THE PROVISION OF BRAIN GYM CLASSES TO ENHANCE THE ADULT DAY CARE PROGRAM NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND**
and seconded by: **COUNCILMAN COOK**

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated an adult day care program for senior citizens; and

WHEREAS, a Brain Gym Program supports an individual's joy of living and learning through 26 simple, safe, and effective exercises, that can improve performance in focus, organization, mental clarity, emotional balance, communication, comprehension and whole body coordination, which are of tremendous value to persons suffering from various forms of dementia, including Alzheimer's Disease; and

WHEREAS, the Town seeks funding from the Alzheimer's Foundation of America for the provision of brain gym classes to enhance the Brain Gym Program for seniors attending Adult Day Care; and

WHEREAS, the Alzheimer's Foundation of America (AFA) will provide FIVE THOUSAND NO/100 (\$5,000) DOLLARS in funding for the provision of brain gym classes to enhance our Adult Day Care Program from January 1, 2015 through December 31, 2015; and

WHEREAS, applying for and receiving funds for the Adult Day Care Program is not an action as defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funds from the Alzheimer's Foundation of America (AFA) for the provision of brain gym classes to enhance the Adult Day Care Program for the period January 1, 2015 through December 31, 2015, for an amount not to exceed the sum of FIVE THOUSAND NO/100 (\$5,000.00) DOLLARS, in Operating Budget Item A-6773-2705 expense code 4550 and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney, nunc pro tunc.

2015-54

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR LIGHT AND HEAVY DUTY MANUAL TRANSMISSION AND REAR DIFFERENTIAL, REBUILD AND REPAIR WITH DRIVE TRAIN TRUCK PARTS, CORP.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON, COUNCILMAN COOK**
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the maintenance of transmissions and engines on Town vehicles is required in order to facilitate efficiency of services and prolong the life expectancy of the vehicles; and

WHEREAS, Town Board Resolution 2014-103 authorized the execution of a contract with Drive Train Truck Parts, Corp. for light and heavy duty manual transmission and rear differential, rebuild and repair, Bid No. TOH 14-02R-009; and

WHEREAS, said requirements contract provides for a one (1) year extension with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Drive Train Truck Parts Corp., 763 Blue Point Road, Holtsville, New York 11742 has requested the one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for light and heavy duty manual transmission and rear differential, rebuild and repair. The extension period shall be effective for one (1) year commencing on April 18, 2015 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE BUS SERVICES FOR VARIOUS RECREATION PROGRAMS WITH BAUMANN & SONS BUSES, INC. AND COASTAL CHARTER SERVICE CORP.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington operates a variety of recreational programs which require bus transportation services for their program participants at various locations; and

WHEREAS, sealed bids were received on January 8, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the bus services for various recreation programs, Bid No. TOH 15-01-005 and the same were opened publicly and read aloud; and

WHEREAS, Baumann & Sons Buses, Inc., 3355 Veterans Highway, Ronkonkoma, New York 11779 and Coastal Charter Service Corp., PO Box 1310, Ronkonkoma, New York 11779 are the lowest responsive, responsible bidders; and

WHEREAS, bus service for recreation programs is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Baumann & Sons Buses, Inc. and Coastal Charter Service Corp. for the bus services for various recreation programs. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before March 31, 2015 to be charged to A7140-4410, A7141-4410 and A7187-4410, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE HEATING VENTILATION, AIR CONDITIONING (HVAC) AND REFRIGERATION SERVICE, MAINTENANCE AND INSTALLATION WITH ABSOLUTE CONTROL HVAC CORP.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN GUTHBERTSON**

and seconded by: **COUNCILMAN COOK**

WHEREAS, this requirements contract will enable a certified mechanic to service, maintain and install heating ventilation, air conditioning (HVAC) and refrigeration equipment as required in accordance with the manufacturer's recommended specifications throughout various facilities in the Town of Huntington; and

WHEREAS, the contractor must utilize high-energy efficiency HVAC equipment that meets or exceeds the energy efficiency specifications set forth in ENERGY STAR and meets or exceeds PSEG and/or National Grid efficiency and incentive levels to qualify for utility rebates if available; and

WHEREAS, sealed bids were received on January 29, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the requirements contract for the HVAC and refrigeration equipment service, maintenance and installation TOH 15-01R-009 and the same were opened publicly and read aloud; and

WHEREAS, Absolute Control HVAC Corp., 962 Sunrise Highway, West Babylon, New York 11704 is the lowest responsive, responsible bidder; and

WHEREAS, HVAC and refrigeration equipment service, maintenance and installation is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Absolute Control HVAC Corp. for HVAC and refrigeration equipment, service, maintenance and installation. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not prior to April 6, 2015 and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Culbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE LAWN AND LANDSCAPE MAINTENANCE FOR THE HIGHWAY DEPARTMENT WITH LOOKS GREAT SERVICES, INC.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN COOK**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS the Town of Huntington Highway Department is responsible for the lawn and landscape maintenance of various Town roads, right of ways, medians, shoulders and recharge basins. This service includes mowing all grassed areas, trimming grass along fence lines, trees, shrubs, curb strips, and removal of all debris; and

WHEREAS, sealed bids were received on January 29, 2015 by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for the lawn and landscape maintenance for the Highway Department, Bid No. TOH 14-01R-008 and the same were opened publicly and read aloud; and

WHEREAS, Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743 is the lowest responsive, responsible bidder; and

WHEREAS, the lawn and landscape maintenance for the Highway Department is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Looks Great Services, Inc. for the lawn and landscape maintenance for the Highway Department. The contract period shall be one (1) year from the date of execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods at the same prices and under the same terms and conditions, to be charged to Operating Budget Item No. DB-5140-4420, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR PROFESSIONAL LEGAL SERVICES WITH LEVENTHAL, CURSIO, MULLANEY & SPECTOR, LLP.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN EDWARDS** and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, under Chapter 29 and pursuant to the General Municipal Law, the Town Board of the Town of Huntington has created and established the Board of Ethics and Financial Disclosure (the "Ethics Board"). The Ethics Board provides opinions with respect to questions arising under Chapter 29, and receives, reviews, and investigates complaints involving conduct prescribed by Chapter 29. The Ethics Board is also required to conduct public hearings and provide seminars for all government officials of the Town of Huntington, as provided in Chapter 29; and

WHEREAS, the Town of Huntington presently has a need to retain outside legal counsel to assist the Board of Ethics and Financial Disclosure in satisfying its duties, as they are described in Chapter 29; and

WHEREAS, sealed proposals were received on January 2, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for legal services, RFP No. 2015-01-002 and the same were opened publicly and read aloud; and

WHEREAS, Leventhal, Cursio, Mullaney & Spector, LLP, Attorneys At Law, 15 Remsen Avenue, Roslyn, New York 11576 is the successful responsive, responsible proposer; and

WHEREAS, contracting for legal services is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Leventhal, Cursio, Mullaney & Spector, LLP Attorneys At Law for professional legal services at a negotiated rate of TWO HUNDRED AND NO/100 (\$200.00) DOLLARS per hour not to exceed FIFTEEN THOUSAND AND NO/100 (\$15,00.00) DOLLARS in a twelve (12) month period. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) periods under the agreed upon prices, terms and conditions as the original contract, to be charged to A1420-4551, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOIE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH THE HUNTINGTON YMCA FOR THE USE OF THE DIX HILLS PARK POOL

Resolution for Town Board Meeting Dated:

February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington wishes to make the Dix Hills Park Pool available to the Huntington YMCA from Monday, June 29, 2015 through Friday, August 14, 2015 from 6 a.m. to 9 a.m. Monday through Friday at no cost to the Town; and

WHEREAS, the YMCA agrees to provide a certified lifeguard and staff at all times when using the pool and will provide the necessary insurance coverage naming the Town of Huntington as an additional insured certificate holder; and

WHEREAS, the YMCA will pay the Town of Huntington \$20.00 per hour for the use of the pool; and

WHEREAS, this agreement is not an action as defined by to 6 N.Y.C.R.R. §617.2(b) and, therefore, no SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the Huntington YMCA, 60 Main Street, Huntington NY 11743 for use of the Dix Hills Park Pool from June 29, 2015 to August 14, 2015 between the hours of 6:00 a.m. and 9:00 a.m., Monday through Friday, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE USE OF DIX HILLS PARK POOL BY THE CHILDREN OF TRI COMMUNITY & YOUTH AGENCY UPON PAYMENT OF A FLAT FEE FOR THE SUMMER OF 2015

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Tri Community & Youth Agency has expressed a desire to provide an additional recreational outlet for the children in their community during the summer of 2015; and

WHEREAS, they have requested that the children in their organization be allowed the use of Dix Hills Park Pool upon the presentation of proper identification for a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS; and

WHEREAS, the use of Dix Hills Park Pool for this purpose is a Type II action, pursuant to 6 N.Y.C.R.R. Section 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the use of Dix Hills Park Pool by the children of Tri Community & Youth Agency upon payment of a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS for the summer of 2015.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH I LIKE SPORTS INC. D/B/A JUMP BUNCH TO PROVIDE A KARATE KIDS PROGRAM FOR CHILDREN.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CURTHBERTSON, COUNCILWOMAN BERLAND**
and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town wishes to offer the children of its residents a karate program known as Karate Kids for children ages four through twelve; and

WHEREAS, I Like Sports Inc. D/B/A Jump Bunch agrees to organize, coordinate, teach, and supervise the Karate Kids program; and

WHEREAS, THE Town will provide the program registration, location, and assist with promotion; and

WHEREAS, the Town will receive twenty (20%) of the gross revenue derived from the program registration; and

WHEREAS, the execution of an agreement is not an action under SEQRA as defined by 6 NYCRR 617.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement and any documents in connection and related therewith, with I Like Sports Inc. D/B/A/ Jump Bunch, 5 Burling Lane, Old Bethpage, NY 11804 to conduct a Karate Kids program for the Town for a two year period commencing on June 1, 2015 and terminating on June 1, 2017 with a one (1) year option to renew at the discretion of the Town, on the same terms and conditions with 20% of the gross revenue derived from the program registration to be deposited into Revenue Code A2006 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOLE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank J. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT TO RENT AN APARTMENT AT FUCHS POND PRESERVE IN NORTHPORT, NEW YORK.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is the owner of certain real property known as Fuchs Pond Preserve located in the Town of Huntington address at 21 Norwood Road, Northport, New York; and

WHEREAS, on the property known as Fuchs Pond Preserve there are several structures and the Town of Huntington desires to enter into a license agreement for the use of said structures, specifically a license to rent the apartment area above the detached garage to an individual or entity; and

WHEREAS, the Town Attorney's office has caused an appraisal of the premises to be conducted by Breslin Realty Appraisal Services in 2013; and

WHEREAS, the current Licensee desires to renew his License Agreement and it is in the Town's best interest to have a presence at the premises to avoid incidents of vandalism; and

WHEREAS, the new License Agreement provides that all utilities will transfer from Town of Huntington and will be placed in Licensee's name; and

WHEREAS, the Town of Huntington is desirous of entering into a License Agreement with Landon Simmons to occupy said premises and to perform specific services with regard to the property, including but not limited to, visual inspection of the premises and visual inspection of adjoining structures, for a one (1) year period commencing on the date of the execution of the License Agreement by both parties, with two (2) possible extensions for a one (1) year period each with annual license fee increases of three percent per year and on such terms and conditions as may be acceptable to the Town Attorney.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a License Agreement, and any other related documents, with Landon Simmons pertaining to the licensing of the apartment area above the garage at the Fuchs Pond Preserve for a monthly license fee of FIVE HUNDRED AND FIFTY and NO/100 DOLLARS (\$550.00) to be deposited into Operating Budget Account A2410, for a term of one (1) year commencing on the date of execution by both parties, with the possibility of two (2) consecutive one year extensions with three (3) percent annual increases in the license fee such terms and on such terms and conditions as may be acceptable to the Town Attorney. Utilities to be paid by Licensee.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracy Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH VICOBÉ PRODUCTIONS FOR THE USE OF CRAB MEADOW BEACH FOR A SPRINT TRIATHLON ON MAY 30, 2015 AND MAY 31, 2015, AND FURTHER GRANTING AN AQUATIC PERMIT IN CONJUNCTION WITH SUCH EVENT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILMAN COOK

WHEREAS, Vicobe Productions has successfully conducted sprint triathlons in several Long Island Towns, including Huntington, and such event helps promote physical fitness and a healthy lifestyle; and

WHEREAS, Vicobe Productions has requested permission to utilize Crab Meadow Beach, parking lot and pavilion to conduct a sprint triathlon from 9 a.m. Saturday, May 30, 2015 through 12 p.m. on Sunday, May 31, 2015 and;

WHEREAS, a portion of proceeds from both events will benefit two local not-for-profit organizations with strong ties to the Northport community; and

WHEREAS, such permission to utilize said Town property is contingent upon the execution of a License Agreement, which includes provisions requiring Vicobe Productions to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose and the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Vicobe Productions for its Triathlon event at the Town of Huntington Crab Meadow Beach beginning with set-up and staging from 9 a.m. to 6 p.m. Saturday, May 30, 2015 and the triathlon event from 4 a.m. to 12 p.m. Sunday, May 31, 2015; and

FURTHER AUTHORIZES the Supervisor to execute a License Agreement with Vicobe Productions, 98 Southdown Road, Huntington, New York 11743, for its Triathlon Event at the Town of Huntington Crab Meadow Beach on Saturday, May 30, 2015 and Sunday, May 31,

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2015. Permission for such event is subject to: 1) the execution of a License Agreement which includes provisions requiring Vicobe Productions to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of Vicobe Productions; 2) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; 4) the granting of an aquatic permit pursuant to §120-15 of the Huntington Town Code; 5) and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH R & C FORMATION, LTD. FOR GROUNDWATER AND SURFACE WATER MONITORING IN COMPLIANCE WITH THE RECORD OF DECISION FOR THE EAST NORTHPORT LANDFILL.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is required by a Record of Decision (ROD) to provide bi-annual sampling, analysis, and reporting of eleven groundwater monitoring wells and seven surface water locations of the known leachate plume of the East Northport landfill. This work has been provided by an outside consultant since the ROD was established in 1996, and periodically the Town solicits proposals for these professional services; and

WHEREAS, R & C Formation Ltd., has submitted a proposal for groundwater and surface water sampling, reporting, and analysis for the East Northport Landfill and the Department of Environmental Waste Management has evaluated the proposal and found it acceptable; and

WHEREAS, groundwater and surface water sampling, reporting, and analysis for the Town of Huntington East Northport landfill is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(18) and (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection and related therewith, with R & C Formation Ltd., 171 Deer Park Avenue Babylon, New York 11702 for professional services in conjunction with groundwater and surface water sampling, reporting, and analysis for the Town of Huntington East Northport landfill. The agreement period shall have an effective term commencing upon execution of the contract through December 31, 2015 and upon such terms and conditions as approved by the Town Attorney and at the discretion of the Town Board, not to exceed the annual sum of NINETEEN THOUSAND TWO HUNDRED AND NO/100 (\$19,200.00) DOLLARS to be charged to the East Northport Landfill-Post Closure Maintenance operating budget line A 8166 4550.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATIONS ON BEHALF OF VARIOUS ORGANIZATIONS FOR SPECIAL EVENTS SCHEDULED TO BE HELD ON TOWN PROPERTY

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN EDWARDS**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington regularly considers applications and issues permits for Special Events to be held on Town property; and

WHEREAS, organizations submitting applications for such Special Events and who would like to serve/sell wine or beer at such events are required to submit a Special Event Permit Application to the New York State Liquor Authority for a Temporary Beer and Wine Permit; and

WHEREAS, as owner of the property to be utilized for said event, it is necessary for the Supervisor to sign the New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant/organization; and

WHEREAS, the subject of this resolution is not an action as defined by 6 N.Y.C.R.R. 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute New York State Liquor Authority Special Event Permit Applications (Temporary Beer and Wine Permits) for various applicants/organizations, upon the approval and recommendation of the Director of the Town of Huntington Department of Parks and Recreation and the Huntington Town Attorney, for the period commencing on January 1, 2015 and ending on December 31, 2015, and on the condition that all such other requirements for the events will be satisfied, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Culbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO DESIGNATE INDIVIDUALS
AS USER MANAGERS FOR THE TRANSIT AWARD MANAGEMENT SYSTEM OF
THE FEDERAL TRANSIT ADMINISTRATION

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is a direct recipient and grantee of the Federal
Transit Administration (FTA); and

WHEREAS, the FTA requires grantees to use its Transit Award Management System
(TrAMS) to apply for and manage FTA grants; and

WHEREAS, the FTA requires grantees to designate one or more User Managers to
submit grant applications, execute grant awards, to annually attest to certifications and
assurances related to the Town's transit operation and federal capital financial assistance
within the TrAMS system; and

WHEREAS, this type of designation is not an action as defined by 6 N.Y. C.R.R.
617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to designate individuals as user managers for
the Transit Award Management System (TrAMS) of the Federal Transit Administration.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Culbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

*Authorizing HART TrAMS User Manager
Transportation & Traffic Safety In
01/29/15 7:56 AM*

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RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
PACE ANALYTICAL SERVICES, INC. TO PROVIDE ANNUAL LABORATORY
SERVICES FOR 2015 FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN BERLAND**

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Dix Hills Water District is required to provide water quality testing at regular intervals for specified routine and special program parameters; and

WHEREAS, Pace Analytical Services, Inc. is certified by the New York State Department of Health to provide all of the testing required by law for the Dix Hills Water District; and

WHEREAS, the Department of Engineering Services has evaluated Pace Analytical's proposal and found them to be highly qualified to provide laboratory services to the Dix Hills Water District; and

WHEREAS, water quality testing is a Type II Action pursuant to SEQRA, 6 NYCRR § 617.5(c)(18) and (20), and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an agreement with Pace Analytical Services, Inc., 575 Broad Hollow Road, Melville, New York 11747, to provide annual laboratory services for 2015 for the Dix Hills Water District for an annual estimated fee not to exceed the sum of FIFTY-SEVEN THOUSAND AND NO/100 (\$57,000.00) DOLLARS to be charged to Operating Budget Item SW1-8321-4550, for a term from January 1, 2015 and to December 31, 2015, for services to include routine well and distribution testing and additional special testing as authorized by the Director of Engineering Services, and upon such other terms and conditions as may be acceptable to the Town Attorney

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING CONCERNED LONG ISLAND MOUNTAIN BICYCLISTS (CLIMB) TO CONSTRUCT AND MAINTAIN TRAILS AT MEADOWLARK PARK

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by : **SUPERVISOR PETRONE**

WHEREAS, Meadowlark Park, part of the Veterans Parks Complex, was designated by the Town Board for multi-use trail development and trail planning was conducted as a component of the Veterans Parks Complex plan development and supported by a large number of potential trail users, and

WHEREAS, following Town Board authorization of a hold harmless agreement in 2008 with Concerned Long Island Mountain Bicyclists (CLIMB), the organization has planned trails with the Town's Departments of Planning and Environment and General Services and provided volunteer labor and services to construct and maintain the trails at Meadowlark Park in a neat, orderly and safe condition in compliance with specifications of the Town of Huntington; and

WHEREAS, CLIMB has extensive and qualified experience working with different levels of government to facilitate specialized trail development and the CLIMB organization has improved by hand and maintained upon its completion a nearly five-mile multi-use single track bicycle trail in Meadowlark Park using volunteered labor from its members, and

WHEREAS, CLIMB submitted a letter of intent requesting the opportunity to continue work at Meadowlark Park and the Huntington Greenway Trails Committee supports a new hold harmless agreement with CLIMB for the Meadowlark Park mountain bicycling trails, and

WHEREAS, the proposed action is classified Type II pursuant to 6 NYCRR 617.5(c)(1) and (20) involving maintenance in an existing facility and continuing agency administration and management and no further SEQRA review is necessary;

NOW THEREFORE, BE IT

RESOLVED, the Town Board hereby grants permission to Concerned Long Island Mountain Bicyclists (CLIMB), to provide the volunteer labor for the construction and maintenance of trails at Meadowlark Park, subject to the submission of a hold harmless agreement for a five-year period commencing on the date of execution, renewable for an additional five years, and appropriate insurance documents in a form satisfactory to the Town Attorney; and on such other terms and conditions as may be acceptable to the Town Attorney; and

FURTHER

HEREBY RECOGNIZES AND THANKS the CLIMB organization for their commitment to providing mountain bicycling trails in the Town of Huntington.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING APPLICATION TO NATIONAL WILDLIFE
FEDERATION'S TREES FOR WILDLIFE PROGRAM

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, a grant opportunity would allow for the Department of Planning and Environment to apply for free trees from the National Wildlife Federation's (NWF) Trees for Wildlife Program to support the Town's Earth Day and Arbor Day events in spring 2015 and the deadline for applications is February 13, 2015, and

WHEREAS, the program provides trees for community tree planting and tree giveaway events dedicated to educating youth about trees and their importance to our environment, as well as inspiring communities to plant and care for trees, and the Town Board authorized such an application in 2014 and 250 trees were distributed to residents, and

WHEREAS, a request for trees for local planting and/or giveaway is recognized as compatible with the Town's environmental goals and may be classified Type II pursuant to SEQRA, 6 NYCRR 617.5(c)(20);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Department of Planning and Environment to apply to the National Wildlife Federation's Trees for Wildlife Program, and authorizes the Supervisor to execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney, and

BE IT FURTHER

RESOLVED, the Town Board agrees that if the award is granted, the NWF and the Trees for Wildlife Program will be acknowledged by press release with the web banner or badge on the Town website, by signage or narrative at any ceremony involving the trees, and by posting photos of Town events involving the trees at NWF's Trees for Wildlife Flickr site.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015
OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL
DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Town Board Resolution 2008-569 each position listed below has been evaluated and deemed to be necessary for the continuation of essential Town services and for the safety and welfare of the community; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, the elimination of full-time positions, including applicable funding, vacated by retirements and attrition to a general contingency account is not an action as defined 6 N.Y.C.R.R. 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2015 Operating Budget.

Reinstate the following positions:

A-1420-1100	Assistant Town Attorney	\$80,720
A-3010-1100	Senior Guard	75,846
A-7183-1100	Laborer	29,025
DB-5110-1100	Heavy Equipment Operator I	63,567
DB-5110-1100	Highway Labor Crew Leader III	78,349
DB-5110-1100	Laborer	29,025

Create the following positions:

A-7020-1100	Clerk Typist (Spanish Speaking)	\$32,525
A-7116-1100	Driver Messenger	35,788
B-3620-1100	Clerk Typist	32,525
B-4020-1100	Clerk Typist	32,525
DB-5110-1100	Tree Trimmer II	73,897
DB-5130-1100	Automotive Mechanic III	55,463

Abolish the following positions:

A-7020-1100	Recreation Aide III	(\$57,132)
A-7115-1100	Driver Messenger	(35,788)
B-3620-1100	Fire Marshall	(54,005)
B-3620-1100	Senior Clerk	(44,411)
DB-5110-1100	Urban Forester	(66,745)

Adjust the following Appropriations:

A-1420-1150	Part Time Assistant Town Attorney	\$43,754
A-1990-1100	Contingency	(204,738)
B-1990-1100	Contingency	33,366
DB-1990-1100	Contingency	(233,556)

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	ABSTAIN

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015
OPERATING BUDGET FOR SNOW REMOVAL EXPENSES FOR THE TOWN OF
HUNTINGTON AND ITS SPECIAL DISTRICTS - HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN EDWARDS, COUNCILWOMAN BERLAND**

WHEREAS, under section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it; and

WHEREAS, one such power and duty is to approve budgetary amendments; and

WHEREAS, funds are needed to purchase snow materials due to the multiple snow storms that have occurred; and

WHEREAS, pursuant to Town Board Resolution 1994-228, all budgetary transfers in excess of \$5,000 require Town Board approval; and

WHEREAS, the purchase of snow removal materials is a Type II action pursuant to 6 N.Y.C.R.R. (c)(25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2015 Operating Budget as follows:

Increase the following revenue:

DB0399-0599R	Appropriated Fund Balance	\$500,000
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Increase the following appropriation:

DB5142-4350	Snow Removal Material	\$500,000
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VOTE:	AYES:	5	NOES:	0	ABSTENTIONS:	0
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Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION TO ABOLISH AND ADJUST THE IMPREST PETTY CASH FUNDS FOR VARIOUS DEPARTMENTS OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Department of Audit and Control has established that various departments (schedule A) in the Town of Huntington no longer need to maintain petty cash funds in established amounts; and

WHEREAS, the petty cash funds for these various departments are to be returned to the Department of Audit and Control; and

WHEREAS, the abolishing and adjusting of petty cash fund and cash bank is not an action pursuant to 6 NYCRR 617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY ABOLISHES and ADJUSTS the petty cash fund in the various Departments (schedule A) in the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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SCHEDULE A

Petty cash funds to be abolished or adjusted by Department

DEPARTMENT	AMOUNT
Supervisor	\$ 100.00
Town Clerk-Record Center	\$ 50.00
General Services	\$ 100.00
Parks & Recreation-Kemper	\$ 400.00
Crab Meadow/Dix Hills Golf Course	\$2000.00
Parks & Recreation-Skate Park	\$100.00
Town Historian	\$75.00
Engineering Services-Dix Hills Water District	\$100.00
Environmental Waste Management- Resource Recovery	\$25.00
Maritimes Services	\$300.00
Environmental Waste Management	\$100.00
Human Services-Handicapped Services	\$100.00
Highway	\$200.00
Public Safety	\$300.00
Parks & Recreation	\$150.00
Parks & Recreation-Beaches	\$300.00

RESOLUTION ACCEPTING THE DEDICATION OF KELLIE COURT, ASHLEY COURT AND TWELVE DRAINAGE EASEMENTS FOR THE SUBDIVISION KNOWN AS BRITTANY ESTATES.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN CUTHBERTSON**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the subdivision known as BRITTANY ESTATES was granted Conditional Final Approval by the Huntington Planning Board on June 17, 2009; and

WHEREAS, as a condition of approval the applicant was to Dedicate to the Town of Huntington the streets known as Kellie Court and Ashley Court and twelve (12) Drainage Easements for the subdivision known as BRITTANY ESTATES; and

WHEREAS, the Office of the Town Attorney is in possession of the necessary documents and filing fees in order to file the Deed and Easements with the Clerk of Suffolk County and the Office of the Superintendent of Highways consents to the Dedication; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(19), and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board

HEREBY ACCEPTS the Dedication of Kellie Court and Ashley Court as well as twelve (12) Drainage Easements for the subdivision known as BRITTANY ESTATES.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING DONATIONS FROM VARIOUS MERCHANTS AND BUSINESSES TO THE TOWN OF HUNTINGTON SENIOR CENTER, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILWOMAN BERLAND, COUNCILMAN COOK**

WHEREAS, the Town of Huntington will be hosting a free raffle for a giveaway at the Senior Center, 423 Park Avenue, Huntington, on January 23, 2015; and

WHEREAS, 17 merchants and businesses have donated various goods and services for the seniors; and

WHEREAS, the acceptance of a donation of is not an action as defined by 6 N.Y. C.R.R. 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY ACCEPTS various donations from the merchants and businesses listed on the attached Schedule "A" and thanks them for their generosity, NUNC PRO TUNC.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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SCHEDULE "A"
JANUARY 2015 SURPRISE FRIDAY HOLIDAY
CONTRIBUTION ACKNOWLEDGEMENT LIST

RESTAURANTS

OLD FIELDS RESTAURANT

81 Broadway
Greenlawn, New York 11740

\$50.00 Gift Certificate

JIMMY'S PIZZA OF GREENLAWN

91 Broadway
Greenlawn, NY 11740

Gift Certificate for 2 large pizza pies

GREENLAWN FAMILY RESTAURANT

753 Pulaski Road
Greenlawn, NY 11740

\$25.00 Gift Certificate

SUBWAY OF GREENLAWN

97 Broadway
Greenlawn, New York 11740

\$10.00 gift certificates

URBAN COFFEE

101 Broadway
Greenlawn, New York 11740

\$10.00 Gift certificate

MERCHANTS

CURVES GREENLAWN

751 B Pulaski Road
Greenlawn, NY 11740

1 Silver Sneakers one month
membership

GREENLAWN HAIRSTYLING

BOUTIQUE

74 Broadway
Greenlawn, New York 11740

3 shampoo cut and blow dry services

R&J BARBER SHOP

84 Broadway
Greenlawn, New York 11740

1 Haircut and 1 hot shave

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VINCENT'S BARBER SHOP

112 Broadway
Greenlawn, New York 11740

1 Haircut Valued at \$26.00

DIVA NAILS AND SPA

67 Broadway
Greenlawn, New York 11740

2 Manicure/pedicure

TIPS AND TOES NAIL SALON

82 Broadway
Greenlawn, New York 11740

(1) Manicure

ANNIE'S FANCY NAILS

101 Broadway
Greenlawn, New York 11740

(1) Manicure

PAWFECT PET DEN

48 A Broadway
Greenlawn, New York 11740

\$50.00 gift Certificate
Good for 1 dog grooming

GROOMING ON BROADWAY

70 Broadway
Greenlawn, New York 11740

\$25.00 Gift Certificate

WALDBAUMS

777 Pulaski Road
Greenlawn, New York 11740

\$25.00 Gift Certificate

GREENLAWN HARDWARE

83 Broadway
Greenlawn, New York 11740

\$25.00 Gift Certificate

DAIRY MART GREENLAWN

100 Broadway
Greenlawn, New York 11740

\$25.00 Gift Certificate

2015-77

RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE
ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE APPEAL OF
JOSE FLORES (RE: TRANSPORTATION FOR HIRE OPERATOR'S PERMIT)

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the appellant, Jose Flores, requested an appeal hearing regarding the denial of the renewal of his taxi operator's permit application pursuant to Huntington Town Code §180-31(A)(1)(5); and

WHEREAS, pursuant to Huntington Town Code §180-33, an appeal hearing was held on March 31, 2014 before an administrative hearing officer who has recommended, in a written decision dated April 3, 2014, that the application to obtain a taxi operator's permit be denied; and

WHEREAS, the hearing officer's decision denying the taxi operator's permit specifically provided that should Mr. Flores submit a taxi permit application in the new permit cycle (May 1, 2014-May 1, 2015) that consideration should be given toward approving the application, provided that Mr. Flores attend a defensive driving course; and

WHEREAS, Mr. Flores submitted proof of taking a defensive driving course and letters of recommendation to the Office of the Town Clerk; and

WHEREAS, on December 18, 2014, a hearing was held to consider the proof submitted by Mr. Flores and the hearing officer has recommended in a written decision that based upon Mr. Flores' satisfactory completion of a defensive driving course, a review of his driving record as of the date of the hearing and the submission of an updated permit application, that the application to obtain a taxi operator's permit should be granted.

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(20) and (29) therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board

HEREBY ADOPTS the recommendations of the administrative hearing officer in the matter of the appeal of Jose Flores as per Exhibit A attached hereto.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

TOWN OF HUNTINGTON

Andrew G. Cangemi
Administrative Law Judge

December 30, 2014

Members of the Town Board
Town of Huntington
100 Main Street
Huntington, NY 11743

Re: Jose Flores
Appeal Hearing
Operator's Permit/Taxicabs and Vehicles for Hire

Members of the Board:

Mr. Flores had previously been denied an operator's permit/taxicabs and vehicles for hire in the Town of Huntington because of inaccuracies in his application and his license.

At the hearing conducted on December 18, 2014, Mr. Flores submitted a satisfactory completion of defensive driving course, and a review of his driving record from the date of his first hearing indicates no violations of any type.

As a result I recommend that Mr. Flores be granted his permit to operate a taxi/vehicle for hire in the Town of Huntington.

Very truly yours,


ANDREW G. CANGEMI

2015-78

RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE APPEAL OF GEORGE C. MCLAUGHLIN (RE: TRANSPORTATION FOR HIRE OPERATOR'S PERMIT)

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the appellant, George C. McLaughlin, requested an appeal hearing regarding the denial of the renewal of his taxi operator's permit application pursuant to Huntington Town Code §180-18 and 180-19; and

WHEREAS, pursuant to Huntington Town Code §180-33, an appeal hearing was held on January 23, 2015, before an administrative hearing officer who has recommended, in a written decision dated January 23, 2015, that the application to obtain a taxi operator's permit be granted; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(20) and (29) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board

HEREBY ADOPTS the recommendations of the administrative hearing officer in the matter of the appeal of George C. McLaughlin, Jr. as per Exhibit A attached hereto.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

TOWN OF HUNTINGTON

Eric Sachs

Administrative Hearing Officer

DECISION

January 23, 2015

Members of The Town Board
TOWN OF HUNTINGTON
100 Main Street
Huntington, New York 11743

Re: George McLaughlin
Appeal Hearing
Transportation for Hire Operator's Permit

Members of The Board:

After hearing the testimony and reviewing the evidence presented by the Town Clerk's Office at the above referenced hearing, I find that the Town Clerk was justified in her denial of the appellant's application for a Transportation for Hire Operator's Permit. It is, however, my recommendation to the Town Board that the appellant's application be approved.

The original denial of the application was based upon a strict construction of the Town Code and Mr. McLaughlin's past criminal record. In 1983, Mr. McLaughlin plead guilty to an unclassified misdemeanor of Driving While Intoxicated. He paid a fine and his license was revoked for 6 months. Since that date, he has completed rehab and currently attends A.A. as both a member and sponsor of other individuals. He has been sober for the past 31 years.

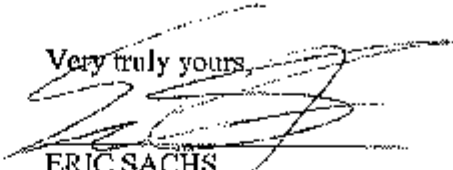
Additionally, in 2012 and 2013 Mr. McLaughlin received tickets for speeding (39 in a 30 mph zone) and failure to stop at a stop sign. These tickets were timely adjudicated and Mr. McLaughlin completed the Defensive Driver Course which removed 4 points from his license and he was entitled to an insurance reduction. Furthermore, Mr. McLaughlin applied for and did receive his T.W.I.C., (Transportation Workers Identification Card) from the United States Coast Guard and after a security check from the Department of Homeland Security and the United States Coast Guard

Mr. McLaughlin presented satisfactory explanations for his record and supplied information sufficient to conclude that he made the necessary reparation and fulfilled all his requirements for rehabilitation. Additionally, proof that he successfully completed any and all DMV requirements for a valid NYS driver's license was also received.

2015-78

Based upon all the evidence presented at the hearing, it is my recommendation the Town Board approve George McLaughlin's application for a Transportation for Hire Operator's Permit. Furthermore, I recommend that so long as there are no future convictions that would trigger a denial under the Code, the Town Clerk be authorized to approve all future applications and renewals for Mr. McLaughlin.

Very truly yours,


ERIC SACHS

ES/s

RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE
ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE APPEAL OF
BRYAN K. ZAPATA, JR.
(RE: TRANSPORTATION FOR HIRE OPERATOR'S PERMIT)

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE**
and seconded by: **COUNCILMAN COOK**

WHEREAS, the appellant, Brian K. Zapata, Jr., requested an appeal hearing regarding the denial of the renewal of his taxi operator's permit application pursuant to Huntington Town Code §180-18 and 180-19; and

WHEREAS, pursuant to Huntington Town Code §180-33, an appeal hearing was held on July 17, 2014 before an administrative hearing officer who has recommended, in a written decision dated August 4, 2014, that the application to obtain a taxi operator's permit be granted as a conditional Operator's Permit for a period of ninety (90) days, with a follow-up hearing to be held at the end of such period to determine Brian K. Zapata, Jr.'s compliance with the terms of his operator permit. The Town hereby reserves its right to revoke Brian K. Zapata Jr.'s Operator's permit in the event any relevant violation occurs within the ninety (90) day period; and

WHEREAS, a follow-up hearing regarding Mr. Zapata's compliance with the terms of his taxi operator permit was held on December 18, 2014 and the hearing officer determined in a written decision that Mr. Zapata was in compliance with his conditional permit and that Mr. Zapata should be granted a permit to operate a taxi within the Town of Huntington for the remainder of the current permitting period; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(20) and (29) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board

HEREBY ADOPTS the recommendations of the administrative hearing officer in the matter of the appeal of Bryan K. Zapata, Jr. as per Exhibit A attached hereto.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015-79

TOWN OF HUNTINGTON

Andrew G. Cangemi
Administrative Law Judge

December 30, 2014

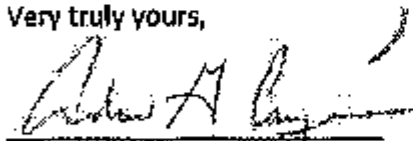
Members of the Town Board
Town of Huntington
100 Main Street
Huntington, NY 11743

Re: Bryan K. Zapata, Jr.
Appeal Hearing
Operator's Permit/Taxicabs and Vehicles for Hire

Members of the Board:

Mr. Zapata was granted a conditional permit to operate a taxicab within the Town of Huntington at a hearing on July 17, 2014 based upon his spotty driving record and incidents with public safety officials. At the December 18, 2014 follow up hearing, it was indicated that Mr. Zapata has performed his duties operating a taxicab within the Town of Huntington without incident. I, therefore, recommend that Mr. Zapata be granted a permit to operate a taxicab/vehicle for hire within the Town of Huntington for the remainder of the current permit period.

Very truly yours,



ANDREW G. CANGEMI

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2014-538
SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF
HUNTINGTON FOR THE YEAR 2015

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS, COUNCILWOMAN BERLAND**

WHEREAS, scheduling regular meetings of the Town Board are not actions as defined by 6 NYCRR §617.2 (h) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AMENDS Town Board Resolution 2014-538 scheduling regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2015, as follows:

7:00 PM

APRIL

[14th] 21st

* * * INDICATES NO CHANGE TO PRESENT TEXT
DELETIONS ARE INDICATED BY [BRACKETS].
ADDITIONS ARE INDICATED BY UNDERLINE.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**RESOLUTION DECLARING CERTAIN EQUIPMENT AND VEHICLES AS
SURPLUS AND/OR OBSOLETE AND AUTHORIZES THE SALE AT AUCTION,
TRADE IN OR DISPOSAL OF THE SAME NUNC PRO TUNC.**

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN COOK, COUNCILWOMAN BERLAND**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington Department of Audit and Control is responsible for the disposition of Town wide Fixed Asset Surplus and/or Obsolete Inventory; and

WHEREAS, the Department of Audit and Control, Division of Purchasing wishes to dispose of the equipment contained in Schedule "A" through trade in, public auction, or disposal for scrap, which will be disposed of on an as-needed basis in a manner that proves to be most cost effective to the Town of Huntington; and

WHEREAS, the disposal of surplus government property is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DECLARES the specified equipment on Schedule "A" as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scrap nunc pro tunc.

VOLE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

TOWN OF HUNTINGTON
PURCHASING DIVISION
SURPLUS INVENTORY ITEMS

2015-81

2015

SCHEDULE A
02/10/15

TOH #	YEAR	MAKE	MODEL	VIN	ASSET #
GENERAL SERVICES					
307	1969	Kaiser	Military Vehicle	04H24869032520574	4220
706	1955	Kaiser	Military Crane	4248	4218

RESOLUTION ESTABLISHING THE COMPENSATION OF THE
COMMISSIONERS OF THE GREENLAWN WATER DISTRICT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Commissioners of the Greenlawn Water District have requested that the Town Board approve an increase in compensation pursuant to Town Law §214 which provides that water district commissioners may be paid as the Town Board may designate, but not to exceed One Hundred (\$100) Dollars per day for each day actually and necessarily expended on service to the district; and

WHEREAS, establishing the rate of compensation of water district officials is not an action pursuant to SEQRA, 6 NYCRR Part 617.2(b), so therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY ESTABLISHES the compensation of the Commissioners of the Greenlawn Water District at One Hundred (\$100) Dollars per day for each day actually and necessarily expended in service of the District.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION EXTENDING THE TIME TO MAKE A DETERMINATION REGARDING THE ADOPTION OF LOCAL LAW INTRODUCTORY NUMBER 45-2014, CONSIDERING ZONE CHANGE APPLICATION #2013-ZM-396, KNOWN AS MATRIX INVESTMENT GROUP, LLC, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT AND C-7 MINOR COMMERCIAL CORRIDOR DISTRICT, AND TO REVOKE THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE HAGSTROM BUICK ZONE CHANGE, #95, FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF JERICHO TURNPIKE AND WEST HILLS ROAD, HUNTINGTON STATION, SCTM# 0400-192-01-042 & 043.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by : **SUPERVISOR PETRONE**

and seconded by : **COUNCILMAN COOK**

WHEREAS, Town Board Resolution 2014-552 scheduled a public hearing, and the same was held on the 9th day of December, 2014, to consider adopting Local Law Introductory No. 45 2014, amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article 11 (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District property designated on the Suffolk County Tax Map as 0400-192-01-042 & 043; and

WHEREAS, the Town Board reserved decision; and

WHEREAS, pursuant to the Code of the Town of Huntington Chapter 54, the 90 day time period to make a determination on the application is set to expire on March 9, 2015; and

WHEREAS, a time extension is not an action pursuant to SEQRA as defined by 6 NYCRR §617.2(b) and therefore no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY EXTENDS the time to make a determination concerning the above referenced change of zone application for an additional 90 day time period to June 7, 2015.

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VOTE: AYES: 3 NOES: 0 ABSTENTIONS: 2

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	ABSTAIN
Councilwoman Tracey A. Edwards	ABSTAIN

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION REAPPOINTING ZONING AND PLANNING BOARD MEMBERS
OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the appointment of personnel is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY REAPPOINTS the following individual to the Town of Huntington Zoning Board of Appeals for a term expiring as indicated:

	Term Expires
CHRISTOPHER MODELEWSKI	12/31/21
18 Mar Kan Drive	
Northport, NY 11768	

HEREBY REAPPOINTS the following individual to the Town of Huntington Planning Board for a term expiring as indicated:

DAVID WALSDORF	12/31/21
2 Laurel Court	
Huntington, NY 11743	

VOTE: AYES: 4 NOES: 1 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	NO
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION RESCINDING RESOLUTION 2015-19 AND GRANTING AN AQUATIC PERMIT TO CAMP SUNSHINE FOR ITS ANNUAL FREEZIN' FOR A REASON POLAR DIP FUNDRAISER EVENT AT CRAB MEADOW BEACH AND AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT IN CONJUNCTION WITH SUCH EVENT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, Camp Sunshine, a not-for-profit organization that provides respite, support and hope to children with life-threatening illnesses, sponsors an annual Freezin' For A Reason Polar Dip event to raise funds to support its mission; and

WHEREAS, Camp Sunshine has requested permission from the Town of Huntington to utilize Crab Meadow Beach on March 1, 2015 for its annual Freezin' For a Reason Polar Dip fundraising event, with all funds generated from such event to be used to send ill children and their families from Long Island to Camp Sunshine in Maine, free of charge; and

WHEREAS, Resolution 2015-19, approved by the Town Board on January 14, 2015, did not include the granting of an Aquatics Permit, as required pursuant to §120-15 of the Huntington Town Code; and

WHEREAS, such permission to utilize the Town property is contingent upon the execution of a License Agreement, which includes provisions requiring the Camp Sunshine to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction;

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose and the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (15), (20), (27) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD,

HEREBY GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Camp Sunshine for its annual Freezin' For a Reason Polar Dip fundraising event at the Town of Huntington Crab Meadow Beach on March 1, 2015; and

FURTHER AUTHORIZES the Supervisor to execute a License Agreement with Camp Sunshine at Sebago Lake Inc., 35 Acadia Road, Casco, Maine 04015, for its annual Freezin' For A Reason Polar Dip fundraising event at Crab Meadow Beach on Sunday, March 1, 2015. Permission for such event is subject to: 1) the execution of a License Agreement which includes provisions requiring Camp Sunshine to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of Camp Sunshine; 2) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; 4) the granting of an aquatic permit pursuant to §120-15 of the Huntington Town Code; 5) and the issuance of all required approvals and/or permits from any other Town department and/or agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 51-2014
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE II, §2-3, SCHEDULE C.
RE: EAST DEER PARK ROAD, DIX HILLS – PROHIBITED TURNS

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 51-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE II, §2-3, SCHEDULE C., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 51-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE II, §2-3, SCHEDULE C.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

**LOCAL LAW NO. 7 - 2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE II, §2-3, SCHEDULE C.**

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE II, §2-3, SCHEDULE C.; as follows

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UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE II, §2-3, SCHEDULE C.

	<u>LOCATION</u>	<u>CONTROLLING TRAFFIC</u>	<u>PROHIBITED TURN</u>	<u>HOURS/ DAYS</u>
ADD:	East Deer Park Road at Art League driveway 430 feet north of DeForest Road North (DXL)	South on East Deer Park Road	Left	-----

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 52-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 117 (SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING AND DISPOSAL)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE, COUNCILWOMAN EDWARDS**
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the New York State Division of Criminal Justice Services ("DCJS") has advised that local laws requiring non-criminal license applicant fingerprint submissions when amended should contain a provision as to whether any felonies and/or misdemeanors would disqualify an applicant from obtaining a license or job if the disability has not been removed by the issuance of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law; and

WHEREAS, in order to bring the Code of the Town of Huntington into compliance with this requirement it has been determined that relevant Town Code provisions affected by this change should be amended at one time for the sake of consistency; and

WHEREAS, the office of the Town Clerk presently has a limited role in the processing of fingerprints and the \$50.00 processing fee heretofore charged in connection with the submission of fingerprints may now be eliminated; and

WHEREAS, the office of the Town Clerk has also indicated that with respect to licenses issued and revocation hearings, the intent of the legislation has been that these fees are non-refundable and this Local Law will now reflect that fact; and

WHEREAS, amending Chapter 117 of the Huntington Town Code for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 52-2014 amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 52-2014 amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal) as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 8 -2015
 AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
 CHAPTER 117 (SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING
 AND DISPOSAL), § 117-3 (APPLICATION FOR LICENSE; CONTENTS), § 117-7
 (LICENSE AND PERMIT FEES), § 117-13 (LICENSE AND PERMIT RENEWAL)
 and, § 117-17 (SUSPENSION AND REVOCATION OF LICENSE; HEARING)

Section 1. Chapter 117 (SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING AND DISPOSAL), § 117-3 (APPLICATION FOR LICENSE; CONTENTS), § 117-7 (LICENSE AND PERMIT FEES), § 117-13 (LICENSE AND PERMIT RENEWAL) and § 117-17 (SUSPENSION AND REVOCATION OF LICENSE; HEARING) is hereby amended to read as follows:

* * *

§ 117-3. Application for license; contents.

A.

* * *

(3) Whether the applicant or a member thereof, if an unincorporated association, or, if a corporation, any director or officer, and any stockholder owning twenty (20%) percent or more of the stock thereof has a record of a prior conviction or convictions within the past five (5) years of a felony or a crime which would now be classified as a Class A or Class B misdemeanor. Where there has been such a conviction or convictions, the applicant shall set forth in which court when, where, upon what charges and the sentence of the court, including the docket, index, indictment or file number in such court that imposed such conviction(s). If a certificate of relief from civil disabilities has been issued by a court of competent jurisdiction, the applicant shall submit a certified copy of same.

* * *

(10) All applicants and members thereof, if an unincorporated association, or, if a corporation, each director or officer, and each stockholder owning twenty (20%) percent or more of the stock thereof, shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system. [All license applications shall be accompanied by a set of fingerprints from each applicant and member thereof, if an unincorporated association, or, if a corporation, each director or officer, and each stockholder owning twenty (20%) percent or more of the stock thereof. Each set of fingerprints shall be submitted to the Town Clerk, with a processing fee of fifty (\$50.) dollars which shall be in addition to the fee charged by the New York State Division of Criminal Justice Services appropriate fee.] In the case of a foreign corporation, directors or officers, and stockholders owning twenty (20%) percent or more of the stock who do not reside in the State of New York, shall not be required to submit fingerprints in

compliance with this section, provided that with respect to such corporations there shall be fingerprints obtained from at least one responsible management official of the corporation who resides in the state and who oversees the operations for which the application is made. In the case of such foreign corporations, there shall be submitted an affidavit from each director or officer, and each stockholder owning twenty (20%) percent or more of the stock, stating whether they have been convicted of any:

- (a) Felony-level offenses anywhere;
- (b) Other violations of law anywhere relating to the collection, transportation and/or disposal of liquid or solid waste;
- (c) Federal, state or local environmental or RICO laws; or
- (d) Any violation of the Town Code.

(e) Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington. This subsection is to be read consistently with and is otherwise subject to the terms and conditions of subsection (3), above.

* * *

§ 117-7. License and permit fees.

A. New license and permit(s).

* * *

I. New license and permits fees provided for pursuant to §117-7 shall be non-refundable.

* * *

§ 117-13. License and permit renewal.

Any licensee making application for renewal license and permit(s) who has an existing charge account balance shall be denied such renewal if that licensee carries a past due balance of over thirty (30) days at the time of application. Denied renewal applications shall be reconsidered upon payment of the past due balance and all late charges as provided in § 117-28C(1). New fingerprints for each renewal period may be waived by the Town Clerk, unless the license has lapsed for a period of time in excess of two (2) years.

* * *

§ 117-17. Suspension and revocation of license; hearing.

* * *

E. Procedure and decisions.

* * *

(3) Fees and outstanding charges. The non-refundable fee for such hearing shall be five hundred (\$500.) dollars, which shall be in addition to any other outstanding payments due and owing to the Town. Upon revocation of a license, the person whose license has been revoked shall make any and all outstanding payments due and owing to the Town.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
 *** INDICATES NO CHANGE IN PRESENT TEXT.
 DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 53-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 130 (JUNKYARDS)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the New York State Division of Criminal Justice Services ("DCJS") has advised that local laws requiring non-criminal license applicant fingerprint submissions when amended should contain a provision as to whether any felonies and/or misdemeanors would disqualify an applicant from obtaining a license or job if the disability has not been removed by the issuance of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law; and

WHEREAS, in order to bring the Code of the Town of Huntington into compliance with this requirement it has been determined that relevant Town Code provisions affected by this change should be amended at one time for the sake of consistency; and

WHEREAS, the office of the Town Clerk presently has a limited role in the processing of fingerprints and the \$50.00 processing fee heretofore charged in connection with the submission of fingerprints may now be eliminated; and

WHEREAS, amending Chapter 130 of the Huntington Town Code for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 53-2014 amending the Code of the Town of Huntington, Chapter 130 (Junkyards), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 53-2014 amending the Code of the Town of Huntington, Chapter 130 (Junkyards) as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 9 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 130 (JUNKYARDS), §130-6 (APPLICATION FOR A LICENSE; LICENSE
RENEWALS; FEES)

Section 1. Chapter 130 (JUNKYARDS), Section 130-6 (APPLICATION FOR A LICENSE; LICENSE RENEWALS; FEES) is hereby amended to read as follows:

* * *

§ 130-6. Application for a license; license renewals; fees.

* * *

B. Identification:

(1) Fingerprints.

(a) [A copy of the application and a fingerprint card shall be referred to the Department of Public Safety for fingerprinting of the applicant. The Town Clerk shall then send the completed fingerprint card to the New York State Division of Criminal Justice Services for a full search.] All applicants shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system.

(b) [The application shall be accompanied by a fee paid by the applicant which is in addition to the required processing fee. The Town Clerk shall determine the amount and manner of payment, pursuant to requirements of Criminal Justice Services for such investigation.] Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington.

(c) Criminal Justice Services shall return any criminal record discovered or a statement that no such record exists to the Town Clerk.

(d) New fingerprints for each renewal period may be waived by the Town Clerk[.], unless the license has lapsed for a period of time in excess of two (2) years.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NORS: 5 ABSENTIONS: 5

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 54-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 149 (PEDDLERS AND SOLICITORS)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN EDWARDS**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the New York State Division of Criminal Justice Services ("DCJS") has advised that local laws requiring non-criminal license applicant fingerprint submissions when amended should contain a provision as to whether any felonies and/or misdemeanors would disqualify an applicant from obtaining a license or job if the disability has not been removed by the issuance of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law; and

WHEREAS, in order to bring the Code of the Town of Huntington into compliance with this requirement it has been determined that relevant Town Code provisions affected by this change should be amended at one time for the sake of consistency; and

WHEREAS, the office of the Town Clerk presently has a limited role in the processing of fingerprints and the \$50.00 processing fee heretofore charged in connection with the submission of fingerprints may now be eliminated; and

WHEREAS, the office of the Town Clerk has also indicated that with respect to licenses issued and revocation hearings, the intent of the legislation has been that these fees are non-refundable and this Local Law will now reflect that fact; and

WHEREAS, amending Chapter 149 of the Huntington Town Code for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 54-2014 amending the Code of the Town of Huntington, Chapter 149 (PEDDLERS AND SOLICITORS), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 54-2014 amending the Code of the Town of Huntington, Chapter 149 (Peddlers and Solicitors) as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NUMBER 10 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 149 (PEDDLERS AND SOLICITORS),
§ 149-3. (UNLAWFUL ACTIVITIES; LICENSE REQUIRED;
EXPIRATION; RENEWAL; QUALIFICATIONS)
§149-4 (APPLICATION FOR LICENSE) AND § 149-5 (FEES)

Section 1. Chapter 149 (PEDDLERS AND SOLICITORS), Section 149-3. (UNLAWFUL ACTIVITIES; LICENSE REQUIRED; EXPIRATION; RENEWAL; QUALIFICATIONS) Section 149-4 (APPLICATION FOR LICENSE) and Section 149-5 (FEES) is hereby amended to read as follows:

* * *

§ 149-3. Unlawful activities; license required; expiration; renewal; qualifications.

* * *

B. It shall be unlawful for any person not expressly prohibited under Subsection A above to engage in the business of peddling or soliciting in the Town of Huntington without first having obtained a license therefor from the Town Clerk. Licenses issued hereunder shall expire at 12:00 midnight on the 31st day of December next following the date of issuance, and renewal shall be from January 1 to 12:00 midnight of December 31 next. New fingerprints for each renewal period may be waived by the Town Clerk, unless the license has lapsed for a period of time in excess of two (2) years.

* * *

§ 149-4. Application for license.

* * *

M. Fingerprints.

(1). [Upon receipt of a sworn application for a license required by this chapter, a copy thereof and a fingerprint card shall be referred to the Town Code Enforcement Office for appropriate fingerprinting of said applicant, and such completed fingerprint card shall thereafter be forwarded by the Town Clerk to the New York State Division of Criminal Justice Services for a full search. The application shall be accompanied by an appropriate fee in a certified bank check or money order, payable to the New York State Division of Criminal Justice Services, which amount shall be in addition to the processing fees stated herein, for such investigation of the applicant as is deemed necessary or advisable for the protection of the public good and welfare.] All applicants shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system.

* * *

(5) Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington.

§ 149-5. Fees

A. The following fees shall be collected by the Town Clerk at the time applications are presented:

* * *

[(6) For processing the fingerprints, when applicable: fifty (\$50) dollars.]

* * *

B. Fees shall not be refunded [in the event that an application is denied].

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 55-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 164 (SEWER USE MANAGEMENT)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**.

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the New York State Division of Criminal Justice Services ("DCJS") has advised that local laws requiring non-criminal license applicant fingerprint submissions when amended should contain a provision as to whether any felonies and/or misdemeanors would disqualify an applicant from obtaining a license or job if the disability has not been removed by the issuance of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law; and

WHEREAS, in order to bring the Code of the Town of Huntington into compliance with this requirement it has been determined that relevant Town Code provisions affected by this change should be amended at one time for the sake of consistency; and

WHEREAS, the office of the Town Clerk presently has a limited role in the processing of fingerprints and the \$50.00 processing fee heretofore charged in connection with the submission of fingerprints may now be eliminated; and

WHEREAS, the office of the Town Clerk has also indicated that with respect to licenses issued and revocation hearings, the intent of the legislation has been that these fees are non-refundable and this Local Law will now reflect that fact; and

WHEREAS, amending Chapter 164 of the Huntington Town Code for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 55-2014 amending the Code of the Town of Huntington, Chapter 164(Sewer Use Management), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 55-2014 amending the Code of the Town of Huntington, Chapter 164 (Sewer Use Management) as follows:

2015-90

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 11 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 164 (SEWER USE MANAGEMENT), § 164-15 (TRUCKED OR HAULED
LIQUID WASTE; LICENSE AND PERMIT REQUIRED)

Section 1. Chapter 164 (SEWER USE MANAGEMENT), § 164-15 (TRUCKED OR HAULED LIQUID WASTE; LICENSE AND PERMIT REQUIRED) is hereby amended to read as follows:

* * *

§ 164-15. Trucked or hauled liquid waste; license and permit required.

* * *

B. Application.

* * *

(3) Whether the applicant or a member thereof, if an unincorporated association, or, if a corporation, any director or officer, and any stockholder owning twenty (20%) percent or more of the stock thereof has a record of a prior conviction or convictions within the past five (5) years of a felony or a crime which is classified as a Class A or Class B misdemeanor. If so, the applicant shall set forth in what court, when, where, upon what charges and the sentence of the court, including the docket, index, indictment or file number in such court. If a certificate of relief from civil disabilities has been issued by a court of competent jurisdiction, the applicant shall submit a certified copy of same.

* * *

(9) All applicants and members thereof, if an unincorporated association, or, if a corporation, each director or officer, and each stockholder owning twenty (20%) percent or more of the stock thereof, shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system. [All license applications shall be accompanied by a set of fingerprints of each applicant and member thereof, if an unincorporated association, or, if a corporation, each director or officer, and each stockholder owning twenty (20%) percent or more of the stock thereof. Each set of fingerprints shall be submitted to the Town Clerk, together with a processing fee of fifty (\$50) dollars which shall be in addition to any fee charged by the New York State Division of Criminal Justice Services.] In the case of a foreign corporation, directors or officers, and stockholders owning twenty (20%) percent or more of the stock who do not reside in the State of New York, shall not be required to submit fingerprints in compliance with this section, provided that with respect to such foreign corporations there shall be fingerprints obtained of at least one responsible management official of the corporation who resides in the state and who oversees the operations for which the

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application is made. In the case of such foreign corporations, there shall be submitted an affidavit from each director or officer, and each stockholder owning twenty (20%) percent or more of the stock, stating whether they have been convicted of any:

(a) Felony-level offenses anywhere;

(b) Other violations of law anywhere relating to the collection, transportation and/or disposal of liquid or solid waste;

(c) Federal, state or local environmental or RICO laws; or

(d) Any violation of the Town Code.

(e) Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington. This subsection is to be read consistently with and is otherwise subject to the terms and conditions of subsection (3), above.

* * *

C. Term. All licenses issued by the Town Clerk for this purpose shall be effective as of January 1 of the year specified on the license and shall expire on December 31 of that year, regardless of date issued, unless sooner suspended or revoked by the Town Board. New fingerprints for each renewal period may be waived by the Town Clerk, unless the license has lapsed for a period of time in excess of two (2) years.

* * *

D. Fees.

(1) Application fee. The application shall be accompanied by a non-refundable fee of five hundred (\$500) dollars. The application fee includes the cost of permitting one vehicle. The non-refundable fee for each additional vehicle shall be two hundred (\$200) dollars. Any license application submitted after the November 15 deadline shall be deemed a late filing and shall be subject to a late filing non-refundable fee of an additional one hundred (\$100) dollars.

* * *

G. Suspension or revocation.

* * *

(3) Hearing on suspension or revocation.

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* * *

(c) Fees and outstanding charges. The non-refundable fee for such revocation hearing shall be five hundred (\$500) dollars, which shall be in addition to any other outstanding payments due and owing to the town. Upon revocation of a license, the person whose license has been revoked shall make any and all outstanding payments due and owing to the town.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 -91

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 56-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 180 (TAXICABS AND VEHICLES FOR HIRE)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN CUTHBERTSON**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the New York State Division of Criminal Justice Services ("DCJS") has advised that local laws requiring non-criminal license applicant fingerprint submissions when amended should contain a provision as to whether any felonies and/or misdemeanors would disqualify an applicant from obtaining a license or job if the disability has not been removed by the issuance of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law; and

WHEREAS, in order to bring the Code of the Town of Huntington into compliance with this requirement it has been determined that relevant Town Code provisions affected by this change should be amended at one time for the sake of consistency; and

WHEREAS, the office of the Town Clerk presently has a limited role in the processing of fingerprints and the \$50.00 processing fee heretofore charged in connection with the submission of fingerprints may now be eliminated; and

WHEREAS, the office of the Town Clerk has also indicated that with respect to licenses issued and revocation hearings, the intent of the legislation has been that these fees are non-refundable and this Local Law will now reflect that fact; and

WHEREAS, amending Chapter 180 of the Huntington Town Code for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 56-2014 amending the Code of the Town of Huntington, Chapter 180 (Taxicabs and Vehicles For Hire), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 56-2014 amending the Code of the Town of Huntington, Chapter 180 (Taxicabs and Vehicles For Hire) as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

2015-91

LOCAL LAW NO. 12-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 180 (TAXICABS AND VEHICLES FOR HIRE)
§ 180-5 (LICENSE APPLICATION; QUALIFICATIONS; EXAMINATION)
§ 180-16 (PERMIT APPLICATION; QUALIFICATIONS; EXAMINATION)
§ 180-33 (NOTICES, HEARINGS AND APPEALS)
§ 180-35 (RECORDS) § 180-36. FEES

Section 1. Chapter 180 (TAXICABS AND VEHICLES FOR HIRE), § 180-5 (LICENSE APPLICATION; QUALIFICATIONS; EXAMINATION), § 180-16 (PERMIT APPLICATION; QUALIFICATIONS; EXAMINATION), § 180-33 (NOTICES, HEARINGS AND APPEALS), § 180-35 (RECORDS) and § 180-36. FEES. is hereby amended to read as follows:

* * *

§ 180-5. License application; qualifications; examination.

A. Application.

* * *

B. Identification.

* * *

(1) Fingerprints.

* * *

(a) All applicants shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system. [Upon receipt of a sworn application for a license, a copy thereof and a fingerprint card shall be referred to the Town Code Enforcement Office for appropriate fingerprinting of said applicant, and such completed fingerprint card shall thereafter be forwarded by the Town Clerk to the New York State Division of Criminal Justice Services for a full search.]

(b) [The application shall be accompanied by an appropriate fee, the amount and payment instrument to be determined by the Town Clerk, pursuant to the requirements of, and payable to, the New York State Division of Criminal Justice Services, which amount shall be in addition to the processing fees stated herein, for such investigation of the applicant as is deemed necessary or advisable for the protection of the public good and welfare.] Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town

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Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington.

* * *

(e) New fingerprints for each renewal period may be waived by the Town Clerk, unless the license issued under the provisions of this chapter has lapsed for a period of time in excess of [one]two (2) years.

* * *

§ 180-16. Permit application: qualifications; examination.

* * *

B. Identification. Applicants shall also file the items set forth herein with said application:

(1) Fingerprints.

(a) All applicants shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system. [Upon receipt of a sworn application for a permit, a copy thereof and a fingerprint card shall be referred to the Town Code Enforcement Office for appropriate fingerprinting of said applicant, and such completed fingerprint card shall thereafter be forwarded by the Town Clerk to the New York State Division of Criminal Justice Services for a full search.]

(b) [The application shall be accompanied by an appropriate fee, the amount and payment instrument to be determined by the Town Clerk, pursuant to the requirements of, and payable to, the New York State Division of Criminal Justice Services, which amount shall be in addition to the processing fees stated herein, for such investigation of the applicant as is deemed necessary or advisable for the protection of the public good and welfare.] Any felonies and/or misdemeanors on the applicant's record shall disqualify the applicant from obtaining a license or permit, unless after submission of a certificate of relief from disabilities as provided for in Article 23 of the Correction Law, the Town Clerk determines that issuance of a license would not endanger the health, safety and welfare of the residents of the Town of Huntington.

* * *

§ 180-33. Notices, hearings and appeals.

A. Notices.

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* * *

B. Disapprovals. Notice of the denial of an application shall be given in writing, setting forth the grounds therefore and the right to an appeal hearing before the Town Board or a duly appointed hearing officer. The applicant may appeal the decision of the Town Clerk to deny the application within thirty (30) days of receipt of such notice. All requests for an appeal shall be in writing and accompanied by the non-refundable requisite fee.

C. Suspensions. Notice of suspension shall be given in writing, setting forth the grounds for such action and the right to an appeal hearing before the Town Board or a duly appointed hearing officer. The suspension shall take effect immediately upon issuance and shall not exceed one (1) year. The licensee may appeal the decision of the Town Clerk to suspend the license within thirty (30) days of receipt of such notice. All requests for an appeal shall be in writing and accompanied by the requisite non-refundable fee.

* * *

§ 180-35. Records.

The Town Clerk shall keep a record of all applications, disapprovals, suspensions, revocations and complaints regarding licenses, certificates and permits, together with any reports in respect thereto[, and shall forward such information, in writing, to the Suffolk County Police Department, which is to be updated on a weekly basis].

* * *

§ 180-36. Fees.

A. Regular fees.

* * *

B. Late fees.

* * *

C. Refunds. Fees shall not be refunded [in the event that an application is denied].

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate

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the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING APPROPRIATE ACTION(S) IN ACCORDANCE
WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE;
NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, § 156-67, ACTION BY
TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: COUNCILMAN COOK

WHEREAS, pursuant to its authority under § 64 and §130 of New York State Town Law, New York State Executive Law § 382 and the Code of the Town of Huntington the Town Board wishes to authorize certain actions to remedy blight conditions; and

WHEREAS, the authorization of the action(s) to remedy blight conditions upon properties within the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (29) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY DESIGNATES the property listed on Schedule "C" as having corrected previously blighted conditions or entered into a Restoration Agreement and as such are currently in compliance; and

HEREBY DESIGNATES the properties listed on Schedule "D" as persistent or ongoing blighted properties and shall be assessed the annual blighted property assessment fee, whereas the Town will take any and all necessary actions to abate the blighted conditions; and

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

HEREBY DIRECTS the Director of Planning and Environment and/or Engineering to maintain records of all costs and expenses in connection with the abatement of the blight conditions and to provide same reports to the Town Board for determination as to the amounts to be assessed against the properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedules "C" and "D" with a copy of this Resolution, sent registered or certified mail return receipt to the last known address as shown by the records of the Town Assessor.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington
 Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
5	1068 Westminster Ave. Dix Hills	0400 278.00-02.00-153.000	Brian E. Levenson Kathryn Garten 1068 Westminster Avenue Dix Hills, NY 11746	9/20/2011	8/13/2013

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**SCHEDULE C
 IN COMPLIANCE**

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Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
109	6 Sexton Court Huntington	0400-166.00-01.00-157.000	William Foster Ryan Foster 6 Sexton Court Huntington, NY 11743	12/5/2013	\$ 2,500.00
24	35 Vanderbilt Parkway Dix Hills	0400-245.00-03.00-052.000	Eun Hee-Choi Soon Ja Choi 35 Vanderbilt Parkway Dix Hills, NY 11746	1/25/2012	\$ 2,500.00
111	1081 E. Jericho Tpke. Huntington	0400-210.00-01.00-061.003	1081 EJT LLC 1055 E. Jericho Tpke. Huntington, NY 11743	1/23/2014	\$5,000.00

**SCHEDULE D
PERSISTENT BLIGHT**

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 58-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES) ARTICLE VII (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE, COUNCILMAN COOK

WHEREAS, the Town Board has determined that One Thousand Five Hundred (\$1,500.00) Dollars of the registration fees imposed under Chapter 156, Section 156-64, accruing as the result of enforcement efforts, per property, shall be allocated from the General Fund to a Beautification Fund to assist in financing the Town's revitalization, anti-blight and community renewal efforts, to be used as more particularly described in a companion resolution setting down a public hearing to consider adopting Chapter 158, Article II entitled "Beautification Fund"; and

WHEREAS, the Town Board seeks to formally distinguish and establish the Beautification Fund whose proceeds and interest thereon are to be accumulated in a trust and agency account, as separate from the General Fund; and

WHEREAS, the Town Board wishes to provide a procedure for and guidance as to the appropriation and application of the Beautification Funds toward suitable uses and projects and therefore a companion resolution establishing a new Chapter 158, "Public Benefit Funds", Article II, "Beautification Fund" is being proposed simultaneously herewith; and

WHEREAS, pursuant to Sections 617.5(c)(20) and (27) of SEQRA, regulations amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action" and therefore its proposal, a Type II action, requires no further action pursuant to SEQRA, and

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 58-2014 amending the Code of the Town of Huntington, Chapter 158 (Huntington Public Benefit Funds), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 58-2014 amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances), Article V (Blighted Property) as follows:

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LOCAL LAW NO. 13 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES),
ARTICLE V (BLIGHTED PROPERTY) as follows:

Section 1. Chapter 156 (Property Maintenance; Nuisances), Article V (Blighted Property) is hereby added to read as follows:

CHAPTER 156

Chapter 156. Property Maintenance; Nuisances

Article VII. Blighted Property

§ 156-64. Enforcement.

E. [Any surplus] One Thousand Five Hundred (\$1,500.00) Dollars of the[administrative, mitigation or] registration costs per property registered on the blighted property list pursuant to §156-64, shall be set aside from the general fund and used to create a beautification fund, with the intent of financing the Town's revitalization and anti-blight efforts pursuant to Chapter 158, entitled "Public Benefit Funds", Article II, "Beautification Fund".

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015- 94

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 59-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON TO ADD A NEW CHAPTER 158 (HUNTINGTON PUBLIC BENEFIT FUNDS), ARTICLE I (GENERAL PROVISIONS), ARTICLE II (HUNTINGTON BEAUTIFICATION FUND)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Town Board has determined that One-Thousand Five Hundred (\$1,500.00) Dollars per property of the registration fees imposed under Chapter 156, Section 156-64, accruing as the result of enforcement efforts, per property, shall be used to create a Beautification Fund to assist in financing the Town's revitalization, anti-blight and community renewal efforts; and

WHEREAS, the Town Board seeks to formally distinguish and establish the Beautification Fund whose proceeds and interest thereon are to be accumulated in a trust and agency account as separate from the General Fund; and

WHEREAS, the Town Board wishes to provide a procedure for and guidance as to the appropriation and application of the Beautification Funds toward suitable uses and projects; and

WHEREAS, pursuant to Sections 617.5(c)(20) and (27) of SEQRA, regulations amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action" and therefore its proposal, a Type II action, requires no further action pursuant to SEQRA, and

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 59-2014 amending the Code of the Town of Huntington, Chapter 158 (Huntington Public Benefit Funds), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 59-2014 amending the Code of the Town of Huntington, Chapter 158 (Huntington Public Benefit Funds) as follows:

LOCAL LAW NO. 14 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
BY ADDING CHAPTER 158 ((PUBLIC BENEFIT FUNDS), Article I (GENERAL PROVISIONS) and Article II (BEAUTIFICATION FUND), as follows:

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Section 1. Chapter 158 (PUBLIC BENEFIT FUNDS) is hereby added to read as follows:

CHAPTER 158
PUBLIC BENEFIT FUNDS

Article I. GENERAL PROVISIONS

Section 158-1. Legislative Intent

It is the intent of the Town Board to protect the health, safety and welfare of the Town by fostering renewal and by encouraging the use of public-benefit funds to supplement the general fund thereby adding to the economic soundness and stability of the community.

Sections 158-2. Definitions: word usage. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

Section 158-3. Reserved.

Section 158-4. Reserved.

Section 158-5. Reserved.

Section 158-6. Reserved.

Section 158-7. Reserved.

Article II. BEAUTIFICATION FUND

Section 158-8. Intent

It is the intent of the Town Board to protect the health, safety and welfare by fostering community renewal and by encouraging the abatement and elimination of blight throughout the Town and to use available public benefit funds to elevate, raise and lift up public properties to create a more positive influence and add to the economic soundness and stability of the community. The Town Board having enacted Chapter 156, "Blighted Property", requiring the owners of blighted properties to pay a registration fee to help foster revitalization and anti-blight efforts, finds that it is in the public interest to provide guidance and procedures for the administration and use of the Beautification Fund which will be supported by a portion of the blighted property registration fees, which Beautification Fund shall be deposited to a separate trust and agency account and carried forward, so that, all interest shall accrue to and remain a part of the Beautification Fund, which shall be used in accord with the purposes set forth herein.

Section 159-9. Reserved

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Section 158-10. Reserved.

Section 158-11. Beautification Fund Committee

- A. There is hereby established a Beautification Fund Committee which shall consist of the Comptroller, the Director of the Department of Planning and Environment, the Town Engineer, the Town's Chief Sustainability Officer, the Intergovernmental Relations Coordinator and the Chairman of the Town of Huntington Beautification Council, or any designated representative of a committee member. The Town Attorney or his or her designee shall serve in an advisory capacity as an ex-officio member of the Committee.
- B. The Intergovernmental Relations Coordinator shall call and chair all meeting of the committee. Meetings may also be called at the request of any two Committee members and may be held as often as necessary
- C. The Committee shall collect data, conduct investigations and prepare reports or cause to have the same accomplished as may be deemed necessary to carry out the purpose of this article.
- D. The Committee shall report its recommendations and any actions taken under this article to the Town Board.
- E. The Committee may from time to time in accord with the Supervisor's grant/database process make applications for grants to county, state and federal agencies to obtain additional monies for the Beautification Fund, which shall supplement the One Thousand Five Hundred (\$1,500.00) Dollars per blighted property allocated to this fund pursuant to Section 156-64 of Chapter 156 of the Town Code.
- F. The Comptroller and Intergovernmental Relations Coordinator may jointly authorize expenditures from the Beautification Fund for amounts up to \$5,000.00. Additionally, the Comptroller shall submit operating or capital budget requests for the Committee to the Supervisor.
- G. The Committee shall have such other and further powers as may be necessary to implement and carry out the purposes of this article.
- H. This Committee and the Beautification Fund provided for herein is separate and apart from and unrelated to the Beautification Council established pursuant to Chapter 8 of the Code of the Town of Huntington.

Section 158-11. Guideline for use of funds

The Beautification Fund may be used for any of the following purposes, including but not limited to: the beautification of public space with the installation and maintenance of plants, grasses, shrubs, trees, paved areas, structures, walls, street amenities, benches, and other types of hardscape, markers, fencing, fountains, clock towers, and other architectural features including public art, green infrastructure for public places including public parking lots, roof tops, rain gardens, bioswales and other green water conservation devices which enhance the environment, the removal of graffiti, litter and the installation of public purpose signs which discourage graffiti, honor a historical event or which contain other public messages that are informational or improve the area where installed.

2015-94

the remediation of environmentally challenged public properties, so that they can be returned to a beneficial use within the local community, surveys to determine property lines on public property to protect against encroachments, public fencing, the installation of lighting and video surveillance equipment in public places to discourage graffiti and other types of vandalism or violations that degrade the community and other uses of a like or similar nature.

Section 158-12. Reserved.

Section 158-13. Reserved.

Section 158-14. Reserved.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE,
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015 - 95

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 60 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 157 (PUBLIC BENEFIT INCENTIVES), ARTICLE III (SOLAR ENERGY SYSTEM FAST TRACK PERMIT PROCESS)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 60-2014 amending the Code of the Town of Huntington, Chapter 157 (Public Benefit Incentives), Article III (Solar Energy System Fast Track Permit Process), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 60-2014, amending the Code of the Town of Huntington, Chapter 157 (Public Benefit Incentives), Article III (Solar Energy System Fast Track Permit Process); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 15 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 157 (PUBLIC BENEFIT INCENTIVES)
ARTICLE III (SOLAR ENERGY SYSTEM FAST TRACK PERMIT PROCESS)

Section 1. Chapter 157 (Public Benefit Incentives), Article III (Solar Energy System Fast Track Permit Process) is hereby amended to read as follows:

CHAPTER 157
PUBLIC BENEFIT INCENTIVES

* * *

ARTICLE III
(SOLAR ENERGY SYSTEM FAST TRACK PERMIT PROCESS)

* * *

§157-14. Fees. All building permit application fees for standard installations of solar energy panels on residential structures or legal accessory structures on residentially-utilized property shall be [waived] sixty (\$60) dollars, provided the installation has not been commenced or completed before a permit has been applied for or issued. In cases where installation has been commenced, the application fee shall be three (3) times the amount established in Chapter 87.

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§157-15. For the purpose of this Article the term "standard installation" shall mean, those installations that meet the following criteria, and any subsequent amendment thereto:

* * *

(6) Be installed by contractors [which] who are [on IJPA's pre-screened solar contractor list] participating NY-Sun solar electric installers;

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE
*** INDICATES NO CHANGE TO PRESENT TEXT
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Eugene Cook	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 61-2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS), ARTICLE X (THE STEEP SLOPES CONSERVATION LAW), ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS) AND ARTICLE XVII (PLANNING BOARD APPROVALS)

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, revising the sections of the Zoning Code regarding the duties of the Planning Board in accordance with the recently adopted Subdivision and Site Plan Regulations and continuing to move definitions throughout the Zoning Code into Article I are ongoing administrative tasks classified as a Type II Action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(20, 27 & 31), and therefore, no further environmental review is required; and

THE TOWN BOARD having held a public hearing on the 14th day of January, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 61-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article X (Steep Slopes Conservation Law), Article XI (Conditional Uses; Supplementary Regulations), and Article XVII (Planning Board Approvals), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 61-2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article X (Steep Slopes Conservation Law), Article XI (Conditional Uses; Supplementary Regulations), and Article XVII (Planning Board Approvals); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 16 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS),
ARTICLE X (THE STEEP SLOPES CONSERVATION LAW),
ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS),
AND ARTICLE XVII (PLANNING BOARD APPROVALS)

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Section 1. Amendment to the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article X (Steep Slopes Conservation Law), Article XI (Conditional Uses; Supplementary Regulations), and Article XVII (Planning Board Approvals); as follows:

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *
§198-2 Definitions and word usage.

* * *
(B) Definitions. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

* * *
ADJACENT PARCEL - For the purpose of the merger of lots, the term adjacent parcel shall mean one parcel which abuts another parcel for a common course of ten (10) feet or greater.

* * *
BUILDING ENVELOPE - The three-dimensional space within which a main or principal structure is permitted to be built on a lot. The Building Envelope is defined or delineated by maximum height regulations and minimum yard setbacks.

BUILDING FOOTPRINT - The amount of land covered, or proposed to be covered, on a lot by a principal building and attached accessory structures. A principal building shall be measured along the plane of its outermost boundaries, whether or not such boundaries are located on, below or above the ground on pilings, on a slab, or any combination thereof. For the purpose of this article, an attached garage or other structure attached to the principal building, including but not limited to carports, porches, pergolas, greenrooms, sunrooms and any habitable space shall be considered part of the footprint. The eaves of a roof that project beyond a principal building; patios; decks and arbors shall not be considered part of the footprint.

* * *
BUILDING PERMIT -- Written permission issued by the Department of Engineering Services for the construction, repair, alteration, modification, or addition of or to a structure.

* * *
COMMON OWNERSHIP - When two (2) or more parcels of land are held, in whole or in part, by the same person, business, company, partnership, corporation or other entity (whether for-profit or not-for-profit).

COMPREHENSIVE PLAN - Pursuant to Section 272-a of Town Law, a comprehensive plan consists of the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the Town. The comprehensive plan shall include any part of such plan separately prepared or any amendment to said plan.

* * *

CONSTRUCTION or DEVELOPMENT - Activities which include the erection or creation of buildings, structures, and other physical improvements, and the clearing and/or grading of land.

* * *

CONVEYANCE - A transfer of title, in whole or in part, to real property, with or without consideration.

* * *

COVENANTS AND RESTRICTIONS (C&R) - A permanent or temporary restriction on the use of land, usually set forth in the deed or supplemental document filed in the office of the County Clerk.

* * *

EASEMENT - An authorization established by legal document and sometimes also by real estate deed to permit the use of land by the public, a corporation or particular individual or entity for specified uses. It must properly describe the property, use, areas within the nature of the easement, and term. An easement must be accepted by the Town and filed with the Suffolk County Clerk to satisfy a requirement of an approval.

* * *

FLAG LOT -- An interior lot located to the rear of another lot, with a narrow portion of the lot ("flagpole") extending to a public street to provide vehicular and/or pedestrian access.

* * *

HILLSIDE AREA (STEEP SLOPE) - A geographical area, whether natural or manmade and whether on one (1) or more lots, having an average slope of ten (10%) percent or greater, extending over a horizontal length of at least 25 feet and a horizontal width of at least 25 feet. For the purpose of this Article, a slope of ten (10%) percent shall be equivalent to a vertical rise of two (2) feet in a horizontal distance of twenty (20) feet.

* * *

INDIVIDUAL RESIDENTIAL BUILDING LOT - A parcel of land for residential development of one-family or two-family dwellings in all zoning districts, including development in the C-1, C-3, C-4 and C-8 districts, and any zoning district created in the future where one- or two-family dwellings are proposed or exist.

* * *

LOT OR PARCEL - A portion of land within defined boundary lines. [A parcel of land, which may include one (1) or more platted lots, occupied or intended for occupancy by a use permitted in this chapter, including one (1) main building, together with its accessory buildings, the yard areas and parking spaces required by this chapter, and having its principal frontage upon a public street or other way which provides safe and adequate access.]

* * *

LOT COVERAGE, BUILDING - That part of the lot that is covered by all buildings, inclusive of parking structures.

LOT COVERAGE, IMPERVIOUS - That part of the lot that is covered by all impervious surfaces.

* * *

LOT LINE - Any line dividing one lot from another or from the street right-of-way or other public space.

LOT LINE CHANGE - A process w[here] the lot line between adjacent parcels of land, which are or are not developed but are "fully conforming," is moved by action of the Planning Board. In no case shall a lot line change result in more lots than the original number, nor may this process [cure] intensify or create a[ny] nonconformity[ies] in any of the lots in question. [The procedure to change a lot line is hereby unauthorized, if the change creates or intensifies any nonconformity in such a way as to violate any regulation promulgated pursuant to this article and/or the Planning Board's Subdivision Regulations and Site Improvement Specifications.] A lot line change should result in lots that are generally better configured than the original and/or solve[s] property line questions.

LOT MODIFICATIONS -- Lot dimensions and/or building setbacks that deviate from the Town Code for the zone in which the land is situated in accordance with Section 278 of New York State Town Law.

* * *

LOT YIELD -- The number of lots permitted in a subdivision as determined by calculating the lots based upon a map fully conforming to all appropriate regulations, including New York State Town Law, New York State Department of Environmental Conservation wetlands regulations, Town of Huntington zoning law, and any applicable

variances and special use permits granted by the Town of Huntington Zoning Board of Appeals.

* * *

MERGED LOT - A lot formed by the consolidation of two or more formerly separate adjacent parcels under common ownership into one larger parcel in accordance with the provisions of this Chapter.

* * *

OFFICIAL MAP - The map established by the Huntington Town Board pursuant to Article 16, Section 270 and 273 of the Town Law showing zoning, streets, highways, parks and drainage, both existing and proposed.

* * *

RESUBDIVISION - The redivision or redevelopment of lots, blocks or sites already shown on a map filed in the office of the Clerk of Suffolk County pursuant to § 335 of the Real Property Law.

* * *

RIGHT-OF-WAY (ROW) - (1) A strip of land acquired by reservation, dedication, prescription, condemnation, or otherwise and intended to be occupied or reserved for use by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary or storm sewer, or other similar uses; or (2) generally, the right of one to pass over the property of another.

* * *

SETBACK LINE - The line that delineates the required minimum distance from any lot line and establishes the building envelope area within which the structure may be erected or placed.

* * *

SLOPE - The deviation of a surface, whether natural or manmade, from a horizontal level plane, expressed as a percentage after dividing the change in vertical elevation between two points by the horizontal distance between them.

* * *

SUBDIVISION - The division or development of any real property into more than one (1) lot, block or site, with or without streets, not on a map previously filed in the office of the Clerk of Suffolk County pursuant to § 335 of the Real Property Law, and includes property fronting on existing streets.

SUBDIVISION, MAJOR - A subdivision containing five (5) or more lots.

SUBDIVISION, MINOR - A subdivision containing four (4) or fewer lots.

SWIMMING POOL - Any structure, basin, chamber or tank which is intended or can be used for swimming, diving, recreational bathing or wading and which contains, is

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designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. The term shall include in-ground, above-ground and on-ground pools, indoor pools, and fixed-in-place wading pools, but not hot tubs and spas.

* * *

WETLANDS - Land areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands may include vernal surface waters and generally include creeks, swamps, marshes, bogs, and similar areas and can be fresh, brackish, or salt water to include tidal wetlands. Some wetlands may be locally, State or Federally regulated and must therefore conform to the applicable local, State or Federal regulations regarding its use, use of adjacent areas, and/or building setback requirements.

* * *

YIELD MAP - A map fully conforming to the relevant zoning ordinance requirements, including topographical data, existing conditions to the extent they would influence yield determination, used by the Planning Board to establish lot yield of a property.

* * *

ARTICLE X (THE STEEP SLOPES CONSERVATION LAW)

* * *

[§198-60.1] §198-61. Applicability of article.

* * *

[§ 198-61.] [Definitions]

[For the purpose of the Steep Slope Conservation Law, the following terms shall have the meanings indicated:]

[BUILDING FOOTPRINT - The amount of land covered, or proposed to be covered, on a lot by a principal building and attached accessory structures. A principal building shall be measured along the plane of its outermost boundaries, whether or not such boundaries are located on, below or above the ground on pilings, on a slab, or any combination thereof. For the purpose of this article, an attached garage or other structure attached to the principal building, including but not limited to carports, porches, pergolas, greenrooms, sunrooms and any habitable space shall be considered part of the footprint. The eaves of a roof that project beyond a principal building; patios; decks and arbors shall not be considered part of the footprint.]

[CONSTRUCTION or DEVELOPMENT - Activities which include clearing and/or grading of land.]

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[GARAGE - A structure, whether or not attached to the principal building, which is designed or used for the storage of a motor vehicle(s).]

[HILLSIDE AREA (STEEP SLOPE) - A geographical area, whether natural or manmade and whether on one (1) or more lots, having an average slope of ten (10%) percent or greater. For the purpose of this Article, a slope of ten (10%) percent shall be equivalent to a vertical rise of two (2) feet in a horizontal distance of twenty (20) feet.]

[INDIVIDUAL RESIDENTIAL BUILDING LOT - A parcel of land for residential development of one-family or two-family dwellings in all zoning districts, including development in the C-1, C-3, C-4 and C-8 districts, and any zoning district created in the future where one- or two-family dwellings are proposed or exist.]

[NON-RESIDENTIAL DEVELOPMENT - Non-residential development shall include all uses except for one- and two-family dwellings, and multi-family developments which are not arranged for occupancy as Residential Care/Medical Care/Assisted Living Facilities. Adult and child care facilities that are within one- or two-family homes shall be classified as residential uses for the purpose of this article. Commercial, industrial, recreational and institutional uses, boarding houses, hotels and motels, special improvement district uses (except districts owned or operated by the town), and places of worship shall be non-residential in nature.]

* * *

[§ 198-64.1.] [Reserved.]

* * *

§ 198-65.1. [Non-residential development] Other site plans.

A. No building permit, site plan, special use permit or variance shall be approved, granted or released by any town department, agency or board for [non-residential] development [in any zoning district] requiring site plan review by the Planning Board and which is not covered by §198-65 if any portion of the property is a Hillside Area until the provisions of this article have been applied.

* * *

ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

* * *

§ 198-75. [Subdivision of land into nonconforming lots.] (Reserved).

[No lot shall be subdivided and no portion of a lot shall be sold where such subdivision or sale shall result in the establishment of one (1) or more parcels that are nonconforming in respect to the minimum area, yard or other requirements for the district in which the lot is located.]

* * *

ARTICLE XVII (PLANNING BOARD APPROVALS)

§ 198-114. [Modification of zoning regulations] Cluster developments.

[A.] Simultaneously with the approval of any plat upon which the Planning Board is empowered to act pursuant to § 276 of the Town Law, such Board may make any reasonable modification of the zoning regulations applicable to the land so platted as authorized by § 278 of the Town Law and as specified in this article. Any such modification of the zoning regulations shall be made to [encourage the most appropriate use of land consistent with the character thereof and with the general welfare of the community, to afford adequate facilities for the housing, circulation, convenience, safety, health and welfare of the population to safeguard the appropriate use and value of adjoining property; or to conserve the general character and value of property in the district.] provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open space including historic landmarks and sites. Unless otherwise specified in this article, any modification of the zoning regulations made by the Planning Board in connection with plat approval shall be limited to size of lot, minimum yard dimensions, location of buildings, location and extent of parking and loading areas and provision of public recreation areas, including parks and playgrounds, or public school sites.

[B.] [Procedure. No modification shall be made in the zoning regulations applicable to any land shown on a plat until the final map has been submitted to the Planning Board and a public hearing has been held thereon. The Board may approve, modify and approve or reject such plat in keeping with the intent and purpose of this chapter. If the plan is approved, the Planning Board shall make appropriate modifications of the zoning regulations simultaneously with the approval of the final plat and such modifications shall be noted in detail thereon. When a final plat of lands for which modifications of zoning are sought is submitted for public hearing, such plat shall be an overall plan for the total project area and shall be filed as such although several sections may be filed simultaneously.]

* * *

§ 198-116. Building and site development [plans].

A. Authority of the Planning Board

* * *

(3) Site plan review by the Planning Board is not required for interior alterations with no change in parking, loading areas, or outdoor storage or display[;], [or] for development in downtown business districts where no parking will be provided on site, or in other instances listed in Chapter A202.

* * *

B. Public hearing. [In addition to any public hearing which may be required by SEQRA and its implementing regulations,] Except for cluster developments and as otherwise

required by this Chapter, no public hearing shall be required for a site plan review. However, the Planning Board has the option of holding as many public hearings as it deems necessary or advisable during the site plan review process. [Such] The first public hearing[(s)] shall be held within sixty-two (62) days of the date a complete application is filed, unless adjourned by mutual consent of the applicant and Planning Board. Notice of the public hearing(s) shall be published in the official newspaper(s) of the Town no later than five (5) days prior to the hearing date.

[C.] [The Planning Board may review and approve, approve with revisions (changes) or disapprove a site plan for any permitted use in accordance with the applicable standards of the Code of the Town of Huntington, the Building Codes of the State of New York, and such Site Improvement Specifications as are authorized by the Town Board.]

[D.] [The Planning Board shall make a determination on an application within sixty-two (62) days of the filing of a complete application or the close of the last public hearing, whichever last occurs, unless extended by the written mutual consent of the applicant and the Planning Board. Each such extension shall not exceed sixty-two (62) days].

[E.] [An application upon which a DEIS is determined to be required shall not be "complete" until the DEIS has been filed and accepted by the Planning Board as satisfactory with respect to scope, content and adequacy.]

[F.] [Building and site development plans shall show all physical features of a property, including buildings and parking areas, the grading and drainage for the site, landscaping, location and size of signs, lighting fixtures in a photometric plan, construction details, and complete floor plans and elevations for new buildings or expansions of/alterations to existing buildings, as well as colored architectural renderings that show proposed materials and colors.]

[G.] C. The Planning Board may require changes to a site plan to improve its appearance, functionality, and conformance with the Comprehensive Plan based upon the following planning and design principles:

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[(5)] [Long or tall, monotonous, blank walls are not desirable. Walls should have windows, doors, projections or indentations, cornices, overhanging eaves, or banding between stories to break up the horizontal and vertical massing. Changes in materials or colors and landscaping against the building can also provide visual differentiation. All street frontages of the building should be designed to have visual interest from the street.]

[H.] D. No building permit shall be issued until the plans have been approved. In approving such plans, the appropriate determinations set forth in Article XI of this

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chapter shall be considered. The decision of the Planning Board shall be filed in the office of the Town Clerk and a copy thereof mailed to the applicant.

§198-116.1- Merged Lots.

(A) Lots shall be merged by operation of law when a nonconforming parcel of land created before January 1, 1980 and an adjacent parcel are under common ownership; or, when any parcel of land is used, in whole or in part, for the benefit of an adjacent parcel having common ownership.

(B) Effect of merger. The merger or consolidation of two or more formerly separate, adjacent parcels under common ownership shall form one larger parcel for all purposes, and may only be subdivided by approval of the Planning Board, whether or not the lot lines of the proposed subdivision follow along the lot lines of the former smaller parcels.

(C) Exception. A nonconforming lot created before January 1, 1980 which has been granted an area variance from the Zoning Board of Appeals before May 5, 1998 shall be exempt from the merger provisions of this chapter.

(D) Requirements. Merged lots must conform to the height, area and bulk regulations of this chapter. Merged lots that are the subject of an application before a town department or Board shall be required to combine tax map lots into a single tax map lot as a condition of approval of the application unless the lots are being altered by a subdivision.

(E) Prohibitions. No building permit may be issued or site plan approved for any parcel that is, by itself, a constituent of a lot that has resulted from a merger of two (2) or more lots. Upon meeting all of the requirements of the Town, and any agency having jurisdiction, the resulting merged lot can qualify for a building permit.

*

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§ 198-118. [Development of real property.] Subdivisions and Lot Creation.

- A. [Purpose. In order to provide for the orderly, uniform and harmonious future growth and development of the Town of Huntington and to afford adequate facilities for the housing, welfare, recreation, including adequate facilities for parks and playgrounds, transportation and distribution, including water mains, sidewalks, curbs, gutters, comfort, convenience, safety and health of its population, it is in the public interest to require the filing of maps showing lots, blocks or sites of real property in the Town of Huntington, New York.] Subdivision approval required. In order to provide for the orderly, uniform and harmonious development of the Town, and to afford adequate facilities for the health, welfare and safety of town residents and the community at-large, every person or business entity, whether or not incorporated, who engages in the subdivision or resubdivision of real property in any zoning district within the Town of Huntington shall be required to obtain subdivision or resubdivision approval from the

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Planning Board, and to file the map of such subdivision or resubdivision in the Office of the Suffolk County Clerk in accordance with §335 of the Real Property Law. All such maps shall comply with the Huntington Town Code and the rules and regulations of every local, state and federal agency having jurisdiction.

B. [Definitions. As used in this section, the following words shall have the meanings indicated:] Authority of the Planning Board. In accordance with Town Law §276 the Planning Board shall be authorized to approve, with or without conditions, preliminary and final plats showing lots, blocks or sites with or without streets or highways, within the Town of Huntington exclusive of its incorporated villages.

[CONVEYANCE - A transfer of title to real property, with or without consideration, or a mortgage of real property.]

[LOT - The smallest portion of a subdivision or other parcel of land upon which a building may be legally constructed under the relevant section of this chapter of the Code of the Town of Huntington for the district where the land is located. A "lot" is also to mean "plot."]

[RESUBDIVISION - The redivision or redevelopment of lots, blocks or sites already shown on a map filed in the office of the Clerk of Suffolk County pursuant to § 335 of the Real Property Law. The Planning Board is not authorized to approve a resubdivision map of that creates through lots of existing lots; furthermore, the Board shall not consider a map fully conforming if it creates through lots of existing lots.]

[SUBDIVISION - The division or development of any real property into more than one (1) lot, block or site, with or without streets, not on a map previously filed in the office of the Clerk of Suffolk County pursuant to § 335 of the Real Property Law, and includes property fronting on existing streets. The Planning Board is not authorized to approve a subdivision map that creates through lots of existing lots; furthermore, the Board shall not consider a map fully conforming if it creates through lots of existing lots.]

(1) The Planning Board is not authorized to approve a subdivision map that creates through lots of existing lots; furthermore, the Board shall not consider a map fully conforming if it creates through lots of existing lots.

(2) No lot shall be subdivided and no portion of a lot shall be sold where such subdivision or sale shall result in the establishment of one (1) or more parcels that are nonconforming in respect to the minimum area, yard or other requirements for the district in which the lot is located.

[C] [Requirement for filing map. In order to carry out the purpose and intention of this chapter, every person, corporation, partnership and association, incorporated or unincorporated, other than a church-cemetery organization attached to a religious parish within the County of Suffolk, who engages in the subdivision or resubdivision of real

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property in any zoning district of the Town of Huntington, shall be required to obtain the approval of the Planning Board of such subdivision or resubdivision and to file a map of such subdivision or resubdivision in the office of the Clerk of Suffolk County in accordance with § 335 of the Real Property Law and shall comply with the Subdivision Regulations and Site Improvement Specifications of the Town of Huntington, New York.]

[D] (C) Modified procedures.

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[E] (D) Effect of noncompliance. In addition to any penalty provided by law, the following shall result from noncompliance: A building permit shall not be issued for the construction of any building on a lot subject to a conveyance after the effective date of this section which is not on a map filed and approved under this section nor shall a building permit be issued for the alteration, moving, conversion, extension or demolition of a building on a lot on a map not filed and approved as provided herein. Building permits shall be issued when such building plans are in accordance with an approved site plan and all other provisions of Subsection [D](2) of this section are met.

[F.] [Merged lots.]

[(1)] [Definitions. As used in this subsection, the following words shall have the meanings indicated:]

[ADJACENT PARCEL - One which abuts another parcel for a common course of ten (10) feet or greater.]

[COMMON OWNERSHIP - When two (2) or more parcels of land are held, in whole or in part, by the same person, business, company, partnership, corporation or other entity (whether for-profit or not-for-profit).]

[MERGER - A nonconforming parcel of land created before January 1, 1980, having common ownership with an adjacent parcel, or any parcel of land used for the development of an adjacent parcel having common ownership shall be deemed to be a single lot.]

[(2)] [Effect of merger. Merged lots must conform to Article IX, Height, Area and Bulk Regulations, of this chapter. No building permit or other development plan shall be issued or approved for any parcel that is, by itself, a constituent of a lot that has resulted from a merger of two (2) or more lots. Upon meeting all of the requirements of this chapter, the resulting merged lot can, upon due process, qualify for a building permit.]

[(3)] [Exceptions. Lots created before January 1, 1980, which meet any of the following criteria shall be exempt from the merger provisions of this subsection:]

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[(a)] [A nonconforming lot that has been granted an area variance from the Board of Appeals before the date of enactment of this local law; and/or]

[(b)] [A nonconforming residential lot having a minimum lot area of twenty thousand (20,000) square feet or a nonconforming commercial or industrial lot not within a sewer district, when either complies with the Suffolk County Department of Health Services regulations for sewage disposal systems.]

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*

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE

*** INDICATES NO CHANGE TO PRESENT TEXT

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT

RE: 420 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 14th day of January, 2015, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Marc Iervolino, 420 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to legalize the demolition of a barn and erection of a new barn (14' x 35') at 420 Park Avenue, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-073.00-02.00-037.000, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Marc Iervolino for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT

RE: 425 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 14th day of January, 2015, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of the Town of Huntington Department of Engineering, 100 Main Street, Huntington, NY 11743, for a Certificate of Approval to erect a partially enclosed shed to shield and display the Town's reproduction Revolutionary War whaleboat at the Colonial Arsenal property, 425 Park Avenue, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-073.00-01.00-036.000, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of the Town of Huntington Department of Engineering for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 4 -2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 153 (PLUMBING)

Resolution for Town Board Meeting dated: February 10, 2015

The following resolution was offered by: **COUNCILMAN GUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board desires to update the provisions of the Town Code to incorporate changes to the State of New York Plumbing Code and other applicable laws and rules; and

WHEREAS, the revision of regulations regarding the issuance of plumbing licenses and permits is a Type II action requiring no further SEQRA review pursuant to 6 NYCRR Part 617.5(c)(20, 24 and 27),

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 10th day of MARCH, 2015 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 4 -2015 amending the Code of the Town of Huntington, Chapter 153 (Plumbing); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 4 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 153 (PLUMBING)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 153 (Plumbing); as follows:

CHAPTER 153
(PLUMBING REGULATIONS)

THE EXISTING TEXT IS REPEALED IN ITS ENTIRETY

ARTICLE I
GENERAL PROVISIONS

§153-1. Legislative Intent.

A. It is the intention of the Town Board to establish regulations to provide minimum requirements to safeguard life and property and promote the public welfare by

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regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance and use of plumbing equipment and systems.

- B. The Town Board intends to regulate the licensing, and standardize the operations and activities of the plumbing industry operating within the Town of Huntington to provide the public, to the best extent possible, with competent, licensed plumbing contractors familiar with the safe and lawful installation of plumbing components, plumbing systems, and mechanical appliances in accordance with applicable laws, rules and regulations.
- C. The Town Board intends to enforce the provisions of the Plumbing Code of New York State, The Fuel Gas Code of New York State, and the Mechanical Code of New York State, and all applicable and successor laws for applications within its jurisdictional borders, which shall be enforced in accordance with the enforcement provisions of this chapter to the fullest extent permitted by law.
- D. The Huntington Town Board, pursuant to Town Law §137 and §138 and other applicable law, is exercising its right to issue plumbing licenses through the Director of Engineering Services and to revoke and/or reinstate such licenses in accordance with the provisions of this Chapter.

§153-2. Applicability of provisions; exemptions.

A. The provisions of this chapter shall be applicable to the erection, installation, alteration, repair, relocation, replacement, addition to, use and/or maintenance of plumbing systems including but not limited to fuel gas distribution piping and equipment; fuel gas-fired water heaters and water heater venting systems; non-flammable medical gas, inhalation anesthetic, vacuum piping, non-medical oxygen systems and sanitary and condensate vacuum collection systems.

B. Municipal facilities exempted. Piping systems for both potable and non-potable water in public water supply and treatment facilities and public waste water treatment plants shall be excluded from this Chapter since these installations are reviewed and approved all or in part by the Suffolk County Department of Health Services, The New York State Department of Health, or the United States Department of Environmental Protection.

§153-3. Conflicting provisions.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

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§153-4. Definitions.

For the purpose of this chapter the following terms shall have the meanings indicated. Where terms are not defined in this chapter and are defined in the Plumbing Code of New York State, the Fuel Gas Code of New York State, the Mechanical Code of New York State, the Fire Code of New York State, the Building Code of New York State, the Residential Code of New York State, or the Property Maintenance Code of New York State, such terms shall have the meanings ascribed therein. Where terms are not defined through the methods authorized by this chapter, such terms shall have their ordinary accepted meaning.

ACCEPTED ENGINEERING PRACTICE. That which conforms to accepted principles, tests or standards of nationally recognized technical or scientific authorities.

APPLIANCE. A device or piece of equipment designed to perform a specific task.

APPROVED. Acceptable to the code enforcement official.

APPROVED AGENCY. An established and recognized agency approved by the code official and that is regularly engaged in conducting tests or furnishing inspection services.

BUILDING. Any structure occupied or intended for supporting or sheltering any occupancy.

CODE ENFORCEMENT OFFICIAL. The officer or other designated Town employee charged with the administration and enforcement of this Chapter.

CONSTRUCTION DOCUMENTS. All of the written, graphic and pictorial documents prepared or assembled to describe the design, specifications, location and physical characteristics of the project or work for which a plumbing permit is sought. Construction drawings shall be drawn to the scale approved by the Department of Engineering Services.

CONTAMINATION. An impairment of the quality of the potable water that creates an actual or anticipated hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids, waste or other means.

DRAIN. Any pipe that carries wastewater or water-borne wastes through a drainage system.

DRAINAGE SYSTEM. Piping that conveys sewage, rainwater or other liquid wastes to a point of disposal. A drainage system does not include the mains of a public sewer system or a private or public sewage treatment or disposal plant.

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EXISTING INSTALLATIONS. Any plumbing system regulated by this Chapter that was legally installed prior to March 10, 2015, or for which a permit to install has been issued.

LICENSE, LIMITED. A limited license is issued to an individual to proceed with work involving services specified on the license only. Limited licenses are issued for:

- (a) Building sewers,
- (b) Irrigation Systems,
- (c) Liquefied Petroleum Gas (LPG) installations. Work is limited to exterior activities involving the installation of tanks and associated system piping.

LICENSE, MASTER PLUMBER. A Master Plumber License including a Reciprocal Master Plumber License is issued to an individual to proceed with work involving the repair and installation of plumbing systems.

LICENSED PLUMBER. An individual that possesses a Master or Limited License to engage in the practice of plumbing.

MEDICAL GAS SYSTEM. The complete system to convey medical gases for direct patient application from central supply systems (bulk tanks, manifolds and medical air compressors), with pressure and operating controls, alarm warning systems, related components and piping networks extending to station outlet valves at patient use points.

MEDICAL VACUUM SYSTEMS. A system consisting of central-vacuum-producing equipment with pressure and operating controls, shutoff valves, alarm-warning systems, gauges and a network of piping extending to and terminating with suitable station inlets at locations where patient suction may be required.

NON-POTABLE WATER. Water not safe for drinking, or for personal or culinary utilization.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

PERSON. An individual or business entity.

PLUMBING. The installation, maintenance, extension, modification and/or alteration of plumbing fixtures, appliances and appurtenances in connection with sanitary drainage or roof drainage facilities; venting systems; or water supply systems.

PLUMBING APPLIANCE. Any one of a special class of plumbing fixtures intended to perform a special function. Included are fixtures having the operation or control dependent on one or more energized components, such as motors, controls, heating elements, or pressure or temperature-sensing elements. Such fixtures may be manually adjusted or controlled, or are operated automatically through time cycle, a temperature range, a pressure range, or by measured volume or weight.

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PLUMBING FIXTURE. A receptacle or device that is either permanently or temporarily connected to the water distribution system of a premises and demands a supply of water therefrom; or discharges wastewater, liquid-borne waste materials or sewage either directly or indirectly to the drainage system of the premises; or requires both a water supply connection and a discharge to the drainage system of the premises.

PLUMBING SYSTEM. Includes the water supply and distribution pipes; plumbing fixtures and traps; water-treating or water-using equipment; soil, waste and vent pipes; and includes sanitary and storm sewers and building drains, together with their respective connections, devices and appurtenances.

POTABLE WATER. Water free from impurities to such a degree to be determined suitable for drinking and conforms to the bacteriological and chemical quality requirements of the New York State Department of Health.

PREMISES OR PREMISE. A lot, plot or parcel of land, including any structure thereon.

REGISTERED DESIGN PROFESSIONAL. An individual who is a registered architect (RA) in accordance with Article 147 of the New York State Education Law or a licensed professional engineer (PE) in accordance with Article 145 of the New York State Education Law.

ROUGH-IN. Parts of the plumbing system that are installed prior to the installation of fixtures. This includes drainage, water supply, vent piping with the necessary fixture supports, and any fixtures that are built into the structure.

SEWAGE. Any liquid waste containing human, animal or vegetable matter in suspension or solution, including liquids containing chemicals in solution.

SEWAGE EJECTORS. A device for lifting sewage by entraining the sewage in a high-velocity jet of steam, air or water.

SEWER, PUBLIC. A common sewer operated and controlled by a governmental entity.

SEWER, SANITARY. A sewer that carries sewage and excludes storm, surface and ground water.

SEWER, STORM. A sewer that carries rainwater, surface water, condensate, cooling water, RPZ drainage, or similar non-sanitary liquid wastes.

STRUCTURE. That which is built or constructed or a portion thereof.

VENT SYSTEM. A pipe or pipes installed to provide a flow of air to or from a drainage system, or to provide a circulation of air within such system to protect trap seals from siphonage and back pressure, or other reason.

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WASTE. The discharge from any fixture, appliance, area or appurtenance that does not contain fecal matter.

WASTE PIPE. A pipe that conveys only waste.

WATER HEATER. Any heating appliance or equipment that heats potable water and supplies such water to the potable hot water distribution system.

WATER MAIN. A water supply pipe or system of pipes, installed and maintained by a city, town, county, public utility company or other public entity, on public property, in the street or in an approved dedicated easement for public or community use.

WATER SUPPLY SYSTEM. The water service pipe, water distribution pipes, and the necessary connecting pipes, fittings, control valves and all appurtenances in or adjacent to the structure or premises.

§153-5. through § 153-10. (Reserved).

ARTICLE II PLUMBING ADVISORY BOARD

§153-11. Authority. The Plumbing Advisory Board of the Town of Huntington shall have the following authority:

- A. Review the qualifications of all applicants for a license, and make recommendations to the Director of Engineering Services prior to the issuance, modification, suspension, or revocation of plumbing licenses upon which the Board passes judgment. Licenses shall be issued or denied by the Director after receipt of written recommendations from the Board, except in the case of an emergency as determined by the Director, and
- B. Develop, administer, and grade written and practical examinations for the Master Plumber License, and develop, administer, and grade written examinations for Limited Licenses, and
- C. Submit written recommendations to the Town Board relating to amendments or modifications to the Plumbing Code of the Town of Huntington, and such other matters as the Town Board may refer to the Board.

§153-12. Composition of the Board; Terms of office.

- A. The Plumbing Advisory Board shall consist of eight (8) voting members appointed by the Town Board, one of whom shall be designated by the Town Board as Chairman, and one ex-officio member as designated below:

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- (1) A representative of the Department of Engineering Services.
- (2) A representative of the Suffolk County Department of Health Services.
- (3) A Sanitary Engineer.
- (4) Three (3) licensed master plumbers.
- (5) A Civil Engineer.
- (6) A Deputy or Assistant Town Attorney as designated by the Town Attorney (ex-officio member).
- (7) A heating technician.

B. If any category of membership is unable to be filled by qualified individuals the Town Board may vary the composition of the Board as long as no more than three (3) of the nine (9) members are of the same category.

C. Board Members from the master plumber, sanitary engineer, and heating technician category shall be residents of the Town of Huntington.

D. Of the Members first appointed by the Town Board, three (3) shall be appointed for a term of one (1) year, three (3) for a term of two (2) years, and three (3) for a term of three (3) years, except that appointees whose term have expired shall be held over until replaced by the Town Board.

§153-13. Vacancies; compensation.

A. Appointments to fill vacancies shall be made by the Town Board and shall be for the unexpired term of the vacancy in question.

B. Members whose terms of appointment have expired shall be held over until replaced by the Town Board.

C. Members of the Plumbing Advisory Board shall serve without compensation with the exception of those Members who proctor the licensing examination shall be compensated for their services at a rate fixed by the Town Board from time to time.

§153-14. Quorum; voting; meetings.

A. A quorum shall consist of five (5) members and shall be necessary for the transaction of business of the Board.

B. A majority of the Members present at a meeting shall be necessary prior to the Board making a recommendation on the issuance, modification, suspension, or revocation of a plumbing license; or for making recommendations to modify provisions of the Town Plumbing Code.

C. Meetings of the Board shall be conducted quarterly or as often as deemed necessary in the opinion of the Chairman or a majority of the Board for effective discharge of the business of the Board.

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§153-15. through §153-20. (Reserved).

ARTICLE III
PLUMBING LICENSES

§153-21. License Required; restrictions.

A. It shall be unlawful for any person, to install, repair, or modify any plumbing or heating system or fixture without benefit of a valid master or limited plumbing license issued by the Director of Engineering Services. With the exception of gas piping, that an owner of a one and two family dwelling may conduct plumbing alteration, repair, maintenance or installation activities within said premises without benefit of a license as long as the work is performed by the owner and not by the owner's contractor or other person.

B. It shall be unlawful to directly or indirectly allow a license to be used in connection with work not actually conducted or completed by the licensee or under the direct supervision of said licensee. The person using the license and the license holder shall be deemed in violation of this chapter.

C. Conditions and restrictions. The Director may restrict or condition a license as he or she deems necessary or appropriate, any said condition or restriction shall be set forth on the face of the license or any renewal thereof at the time of issuance.

§153-22. Qualifications of applicants for a plumbing license. The Plumbing Advisory Board shall determine an applicant's qualifications for a Master or Limited License based on the following criteria:

A. Applicants shall be a minimum of 21 years of age and shall apply in writing to the Huntington Plumbing Licensing Board on application forms supplied by the Department of Engineering Services together with payment of the requisite application fee.

B. Work Experience. Every applicant shall have at least seven (7) years of continuous work experience in the installation, repair and/or maintenance of plumbing systems or equipment; or have completed a plumbing union apprenticeship program, or an approved course of study at a certified technical school, or any combination thereof.

C. Written examination. Upon the Board's approval of an applicant's work experience, the applicant shall sit for a written examination where the minimum passing score is 70%. Applicants that fail the written exam may schedule a second exam at no additional cost. Failure to obtain a passing grade on the second exam shall require an applicant to remit the requisite fee before the exam may be retaken. Failure to obtain a passing grade on the third exam shall void the application.

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D. Practical examination. Applicants seeking to obtain a Master Plumbing License must successfully complete a practical examination and demonstrate sufficient knowledge and technical ability to perform and supervise the installation, alteration, modification, or repair of plumbing and heating systems.

E. Failure to receive a license shall not prevent the applicant from filing a new application at any time.

§153-23. License application and fees.

A. Application for a license. Applications for initial and renewal licenses shall be made in person and shall include the following:

(1) A completed and signed application on a form provided by the Department of Engineering Services accompanied by the requisite fee. The applicant shall disclose the D/B/A he or she proposes to use on the application; and

(2) Insurance certificates evidencing the existence of general liability coverage in the minimum amount of \$1,000,000 for any one accident and \$500,000 for any one person, and for damage to property a minimum coverage of \$250,000; and

(3) Such other and further documentation as deemed necessary by the Plumbing Advisory Board or the Director of Engineering Services.

B. Fees. The following fees are established for processing the application and issuance of a Limited License or Master Plumber License:

(1) Initial application fee. A non-refundable application fee of \$95.00 shall be remitted for each license type applied for prior to an applicant taking the respective examinations.

(2) License fee. Upon successful completion of the requisite examination(s) the applicant shall remit a license fee of \$150.00 prior to the issuance of a Limited or Master Plumber License.

(3) Re-examination fee. If an applicant fails the written examination twice a non-refundable \$50.00 re-examination fee shall be payable before the test may be taken for a third time.

(4) Renewals. An individual who possesses a single or multiple Limited License(s), or a Master Plumber License may renew the license(s) upon timely application for the renewal of such license(s) and payment of a non-refundable license renewal fee of \$150.00 prior to the expiration of the license(s) sought to be renewed. Within 90 days after the expiration of the current license, renewals

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may be permitted upon the payment of the license renewal fee and an additional penalty of \$75.00 without written reexamination. Applicants who fail to renew their licenses within such 90 day period shall be required to apply for a new license with the Plumbing Advisory Board and pay all requisite fees.

§153-24. Issuance of license and photo ID card. Licenses shall be issued to those meeting the requirements of this chapter. A photo ID card identifying the licensee's name, type of license, license number, and the date the license expires shall be issued by the Town to all licensees. Photo ID cards shall be available at all times during the performance of work, and shall be produced upon request of the code enforcement official or customer. Any licensee who fails to produce the ID card upon request shall be in violation of this chapter.

§153-25. Term of license. Initial and renewal licenses issued for limited activities or for master plumbers are valid for a period of three (3) years from the date of issuance.

§153-26. Reciprocal Agreements for Master Plumber Licenses.

A. The Town Board may, from time to time, determine that another municipality maintains a standard for licensing master plumbers equivalent to that maintained in the Town of Huntington, and authorize the execution of a written Reciprocal Agreement with the other municipality waiving, upon the presentation of proper documentation, the written and practical examination of licensed master plumbers seeking a Reciprocal Master Plumber License in the Town of Huntington pursuant to the Agreement. The license fee established in this Chapter in the amount of \$150.00 shall be paid by those requesting a Reciprocal Master Plumber License before such licenses will be issued.

B. Application requirements.

(1) An applicant filing under this section shall furnish a copy of his Master Plumber License establishing that he has been certified as competent and duly licensed for at least one year by the licensing municipality; and

(2) A Letter of Good Standing issued by the licensing municipality evidencing that the license is current and valid, and has not been suspended, modified or revoked.

C. Issuance of reciprocal license.

(1) An applicant who qualifies under this section shall be issued a Master Plumber License only. No certificate of competency shall be issued to any applicant unless the applicant has been examined and recommended for approval by the Plumbing Advisory Board of the Town of Huntington.

(2) Such Reciprocal Master Plumber License shall be valid for a period of three (3) years, subject to payment of licensing and renewal fees, and only during that period of time in which the issuing municipality and the Town of Huntington maintain

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their Reciprocal Agreement. Suspension or termination of said Agreement shall require a licensee under this section to return their license to the Plumbing Advisory Board within 10 days of receipt of notification by the Town. Failure to do so shall constitute a violation of this Chapter.

§153-27. Liability of Town. The provisions of this chapter shall not relieve any person owning, operating maintaining or installing any plumbing systems or equipment from liability for loss of life or damages to persons or property caused by any defect in the work or hazardous condition therein, nor shall the Town be deemed to have assumed such liability by reason of any license issued pursuant to this Chapter.

§153-28. Suspension or revocation of license. A license may be suspended or revoked by the Director of Engineering Services when it is found by inspection or otherwise that there has been an unlawful act in connection with the license, including but not limited to any of the following:

- A. A condition or restriction set forth in the license has been violated, neglected or ignored; or
- B. There has been a false statement, an error, mistake or misrepresentation as to a material fact in the application or documents submitted for a license or license renewal; or
- C. The license is used by a person other than the person to which the license was issued; or
- D. The license holder failed, refused or neglected to comply with a lawful order of the Director or a code enforcement officer pertaining to the license within the time provided therein; or
- E. The license was issued in error or in violation of state, county, or local law, rule or regulation; or
- F. Such other basis as deemed proper or necessary by the Director.

§153-29. Notice of Suspension or Revocation of License.

A. Prior to the suspension or revocation of a license, the code enforcement official shall prepare a report outlining the reason(s) for the proposed suspension or revocation of the license. A copy of the report shall be mailed to the licensee together with a Notice of Hearing which shall contain the date, time and place of an administrative hearing before an Administrative Hearing Officer to determine whether the license should be suspended or revoked.

B. Amendment, modification or withdrawal. The code enforcement official may amend, modify or withdraw any Notice issued if, in his judgment, the circumstances

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warrant such action provided the amended or modified Notice is served as provided in (C) herein within five (5) business days of service of the original Notice, and a hearing has not occurred.

C. Service of Notice. The Notice of Hearing and Report shall be served either personally in accordance with the CPLR, or by registered or certified mail, return receipt requested and by regular mail, addressed to the licensee at the address shown on the application.

§153-30. Administrative Hearing. An administrative hearing shall be held before a duly appointed Administrative Hearing Officer. Hearings may be adjourned only upon good cause shown.

A. Conduct of hearings. At the administrative hearing the licensee shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. He may present the testimony of witnesses, experts and such other evidence in his own behalf as he deems necessary and relevant to the subject matter of the hearing. All hearings shall be recorded.

B. The Hearing Officer shall consider the evidence and shall submit his or her findings and recommendations to the Director of Engineering Services for ultimate determination. A copy of the Hearing Officer's report shall be filed with the Town Clerk and served upon the licensee in the same manner as the Notice of Hearing. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the Hearing Officer's findings and recommendations. The Director shall consider the written objections and the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as he or she deems advisable or necessary under the circumstances. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the licensee by regular mail and by registered or certified mail, return receipt requested.

C. Action upon non-appearance. Upon the failure, neglect or refusal of the licensee to appear at the administrative hearing or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the Notice was properly addressed, at the election of the Director the license may be suspended for a period of time or revoked for the reasons set forth in the code enforcement officers original report. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the licensee by regular mail and by registered or certified mail, return receipt requested.

D. Error or mistake. If the basis for the suspension or revocation is §153-26 (E) such suspension or revocation shall be effective upon a mailing advising the licensee that the license is suspended or revoked and the reason(s) thereof. Such mailing shall be accomplished by regular and certified mail, return receipt requested, and addressed to the licensee at the address shown on the application.

E. Remedies. Nothing contained herein is intended to limit or restrict the Town's use of other remedies without limitation, at law or in equity, or impede the ability of town officials to enforce the code through stop work orders, notices of violation and summonses.

§153-31. through §153-33. (Reserved).

ARTICLE IV PLUMBING PERMITS

§153-34. Plumbing Permits Required.

A. Plumbing permits shall be required for the installation, repair, or modification of plumbing systems, medical gas systems, natural gas or liquefied petroleum gas piping, or the installation or modification of irrigation systems. The Director of Engineering Services or his designee shall issue plumbing permits upon compliance by the applicant with all state and local requirements and standards.

B. It shall be unlawful for a person to install, repair, service, or modify any plumbing system, medical gas system, natural gas or liquefied petroleum gas piping, or irrigation system without benefit of a plumbing permit issued by the Town of Huntington. Any person who fails, neglects or refuses to obtain a permit before commencing the work shall be in violation of this Chapter.

§153-35. Permits Generally.

A. Permits for multiple purposes. A single permit may be granted for one (1) or more purposes for which approval is sought at the discretion of the Director of the Department of Engineering Services.

B. Permit Placement. Permits shall be posted in a conspicuous place on the premises so as to be readily available for inspection by the code enforcement official. It shall be unlawful to fail or neglect to post the required plumbing permit on site where work is being performed.

C. Scope of permit. Permits shall be issued for specific purpose(s) or activity(ies) and shall not be constructed to authorize any other work or activity than as set forth on the face of the permit.

D. Conditions and restrictions. The Director or his designee may restrict or condition a permit as he or she deems necessary or appropriate, and any said condition or restriction shall be set forth on the face of the permit or renewal thereof at the time of issuance.

§153-36. Permit application. A completed and signed application for a permit shall be made to the Department of Engineering Services and shall be accompanied by the non-refundable application fee established in this Chapter.

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A. Permit applications shall include three (3) sets of plans and specifications for the proposed work. Required drawings shall include but not be limited to:

- (1) Site Plan; and
- (2) Building Plan View; and
- (3) Building Cross Section/Elevation; and
- (4) Riser Diagram; and
- (5) Manufacturer's Equipment Cut Sheets.

B. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work will conform to the requirements of this Chapter, the Plumbing Code of New York State, the Fuel Gas Code of New York State, the Mechanical Code of New York State, and other applicable law, rule or regulation.

C. Incomplete applications. An incomplete application for any work, activity or operation shall be deemed to have been abandoned six (6) months after the date of filing, except that the Director of Engineering Services may grant one or more extensions not exceeding ninety (90) days each for good cause shown, as long as it is demonstrated to the satisfaction of the Director that the applicant is proceeding diligently and in good faith, and the delay in filing a complete application is not under the control or due to the actions of the applicant.

D. Denial of application. If the application for a permit describes a use or activity that does not conform to state or local requirements, a permit shall not be issued and the application shall be returned with the reason for denial.

E. Correction of errors.

(1) Where field conditions necessitate a substantial change from the approved construction documents, corrected construction drawings shall be submitted for approval

(2) The issuance of a permit based on construction documents and other data shall not prevent the code enforcement official from requiring the correction of errors in the documents submitted based upon field conditions.

§153-37. Term of plumbing permits; extensions.

A. Term, extensions. Plumbing permits are valid for one (1) year from the date of issuance. The Department of Engineering Services may extend such permits for no more than two (2), one (1) year terms. In no event shall a plumbing permit be renewed beyond three (3) years of the original date of issuance. Such permit shall be null and void at the end of the extension period(s). An expired plumbing permit must be replaced with a new permit upon the submission of a new application and payment of the requisite fee.

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B. Extension fees. The fee for each extension period shall be one-half (1/2) of the total application fee paid for the original permit. If, at the discretion of the Director of Engineering Services, payment of the fee for an extension in full for a plumbing permit would constitute a severe hardship to the applicant, the fee may be pro-rated on a monthly basis provided the project is substantially complete and the hardship has not been caused by the actions of the permit holder.

§153-38. Acceptance, transfer and alteration of permits.

A. Acceptance. The acceptance of a permit shall constitute an agreement by the property owner and/or permit holder that the work to be performed, or activity or operation, will comply in all respects with the plans and specifications approved by the Department of Engineering Services, and that no modification, alteration or deviation from the approved plans and specifications, or the permit, will occur without the prior approval of the code enforcement official. A property owner and/or permit holder who performs work, or causes work to be performed, or conducts an operation or activity which modifies, alters or deviates from the approved plans, specifications or permit in any way shall be in violation of this Chapter. In addition to any other penalty provided for herein, the Town may issue a stop-work order and may revoke the permit.

B. Unlawful transfer of permit.

(1) Transfer to other property. It shall be unlawful to cause or permit a permit to be posted at a premise other than the premises for which the permit was issued. The person to whom the permit was originally issued and the owner of the property on whose property the permit is unlawfully posted shall be deemed to be in violation of this Chapter. In addition to any other penalty provided for herein, the Town may issue a stop-work order and may revoke the permit.

(2) Transfer to other contractor. Plumbing permits are not transferable and any change in installation contractor shall require that a new permit be obtained. It shall be unlawful to transfer a permit to another person without obtaining a new plumbing permit. The person to whom the permit was originally issued, the owner of the property on whose property the work is being performed, and the person who accepted the transferred permit shall be deemed to be in violation of this Chapter. In addition to any other penalty provided for herein, the Town may issue a stop-work order and may revoke the permit.

C. Alteration of permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a permit issued pursuant to this Chapter. The property owner and/or permit holder shall be deemed to be in violation of this section. In addition to any other penalty provided for herein, the Town may issue a stop-work order and may revoke the permit.

§153-39. Revocation of permits. A permit may be revoked by the Director of Engineering Services when it is found by inspection or otherwise that there has been an

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unlawful act in connection with the permit, including but not limited to any of the following:

A. The permit is used for work, or an activity or operation, location or establishment other than that for which it was issued; or

B. A condition or restriction set forth in the permit has been violated, neglected or ignored; or

C. There has been a false statement, an error, mistake or misrepresentation as to a material fact in the application for a permit, the construction documents or the plans submitted for a permit; or

D. The permit is used by a person other than the person to whom the permit it was issued; or

E. The permit holder has failed, refused or neglected to comply with the lawful order or notice of the Director or code enforcement official pertaining to the permit or work within the time provided by the official; or

F. The permit was issued in error or in violation of state, county, or local law, rule or regulation; or

G. Such other basis as deemed proper or necessary by the Director .

§153-40. Notice of Revocation of Permit.

A. Prior to the revocation of a permit, the code enforcement official shall prepare a report outlining the reason(s) for the proposed revocation of the permit. A copy of the report shall be mailed to the property owner at the address shown on the most current assessment roll maintained by the Town Assessor, or to his agent, or person-in-charge of the property, and to the permit holder together with a Notice of Hearing which shall contain the following:

(1) A description of the property; and

(2) The date, time and place of the scheduled administrative hearing before an Administrative Hearing Officer to determine whether the permit should be revoked.

B. Amendment, modification or withdrawal. The code enforcement official may amend, modify or withdraw any Notice issued if, in his judgment, the circumstances warrant such action provided the amended or modified Notice is served as provided in (C) herein within five (5) business days of service of the original Notice, and a hearing has not occurred.

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C. Service of Notice. The Notice of Hearing and Report shall be served either personally in accordance with the CPLR, or by registered or certified mail, return receipt requested and by regular mail, addressed to the property owner at the last address shown on the most current assessment roll of the Town Assessor, or to the owner's agent or person-in-charge of the property at the last known address, and to the permit holder at the address shown on the application.

§153-41. Administrative Hearing. An administrative hearing may be held before a duly appointed Administrative Hearing Officer. Hearings may be adjourned only upon good cause shown.

A. Conduct of hearings. At the administrative hearing the permit holder shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. He may present the testimony of witnesses, experts and such other evidence in his own behalf as he deems necessary and relevant to the subject matter of the hearing. All hearings shall be recorded.

B. Administrative Hearing Officer. The Hearing Officer shall consider the evidence and shall submit his or her findings and recommendations to the Director of Engineering Services for ultimate determination. A copy of the Hearing Officer's report shall be filed with the Town Clerk and served in the same manner as the Notice of Hearing. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the Hearing Officer's findings and recommendations. The Director shall consider the written objections and the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as he or she deems advisable or necessary under the circumstances. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

C. Action upon non-appearance. Upon the failure, neglect or refusal of the permit holder to appear at the administrative hearing; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the Notice was properly addressed, at the election of the Director the permit may be revoked for the reasons set forth in the code enforcement officer's original report. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

D. Error or mistake. If the basis for the revocation is §153-39(F) such revocation shall be effective upon a mailing advising the property owner, his agent, or person in charge of the property and the permit holder that the permit is revoked and the reason(s) thereof. Such mailing shall be accomplished by regular and certified mail, return receipt requested, and addressed to the last known address of the proposed recipient.

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E. Remedies. Nothing contained herein is intended to limit or restrict the Town's use of other remedies without limitation, at law or in equity, or to impede the ability of town officials to enforce the code through stop work orders, notices of violation and summonses.

§153-42. Inspections; certificate of completion.

A. Work for which a permit has been issued pursuant to this chapter shall be inspected by the code enforcement official at appropriate stages of the project. Work shall be inspected prior to enclosing or covering any portion thereof and it shall be the responsibility of the permit holder, owner, applicant, or his agent to schedule such inspections with the Department of Engineering Services. Failure to have the work inspected shall be deemed a violation of this chapter.

B. A certificate of completion for work performed under a plumbing permit may not be issued until such time as a final inspection has been performed and approved by the code enforcement official.

C. Prior to scheduling an acceptance test the contractor of record shall provide the code enforcement official with copies of all required regulatory approvals.

§153-43. through §153-47. (Reserved).

ARTICLE V
FEES

§153-48. The following fees are established for the installation, repair, alteration or modification of plumbing systems, medical gas systems, natural gas or liquefied petroleum gas piping, or the installation or modification of irrigation systems. If the system should fail the final inspection process, payment of the requisite fee for such service must be paid before an inspection will be rescheduled.

A. Residential plumbing system permits shall only be issued for work conducted within one and two family homes.

B. Fee exemption. The permit fee shall be waived if the owner of the property for which a plumbing permit is sought is a municipality, special improvement district or other entity for which real property taxes are not collected, and if the construction or use is for governmental, municipal or district purposes and is not proprietary in nature.

	<u>Plumbing System Permits</u>
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	<u>Residential Plumbing System</u>	<u>Commercial Plumbing / Medical Gas System</u>	<u>All Natural / LPG Gas Piping Installation</u>
<u>Permit Fee</u>	<u>\$175</u>	<u>\$300</u>	<u>\$150</u>
<u>Re-Inspection Fee</u>	<u>\$75</u>	<u>\$150</u>	<u>\$75</u>

	<u>Irrigation System Permits</u>	
	<u>Residential Irrigation System</u>	<u>Commercial Irrigation System</u>
<u>Permit Fee</u>	<u>\$75</u>	<u>\$150</u>
<u>Re-Inspection Fee</u>	<u>\$50</u>	<u>\$100</u>

§ 153-49. through § 153-51. (Reserved).

ARTICLE VI ADMINISTRATIVE REMEDIES

§153-52. Notice of violation.

When the code enforcement official finds that the installation, repair, alteration, or modification of any plumbing or heating system is or has been accomplished in violation of this Chapter, or that a dangerous or hazardous condition exists, he may, at his discretion, prepare a written notice of violation describing the violation or the unsafe and hazardous condition.

A. Contents. The notice of violation shall identify the violation or offense and may, without limitation, require the abatement, remediation or restoration of the building, structure, installation, equipment, or property within the period identified in the notice.

B. Service. A notice of violation shall be served upon the property owner, operator, occupant, person in charge of the property, or other person responsible for the condition or violation, and to the permit holder by personal delivery, or can be mailed to the last known address of the person being served, and by delivering the same to and leaving it with a person of suitable age and discretion at the premise.

C. Extension of time. Upon good cause shown to the satisfaction of the code enforcement official, the period of compliance may be extended where remedial

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measures have been started and the delay is not under the control of or due to the actions of the person to whom the notice has been issued.

§153-53. Placards. If, in the judgment of the Director or code enforcement official, any equipment or installation, building or premise jeopardizes the public health or welfare, or the safety of the occupants or property, he may authorize the condemnation of the premise, building, structure, dwelling unit, equipment, or installation as unsafe and hazardous.

A. Placement. A placard shall be posted in a conspicuous place in or about the structure, building or unit, and if the placard pertains to equipment, it shall also be posted on the condemned equipment, as access permits.

B. Prohibited acts.

(1) Impeding government action. Any person who resists, obstructs or impedes the code enforcement official in the placement or posting of placard(s) or the execution of an order to vacate shall be in violation of this chapter and shall be subject to the fines and penalties provided herein.

(2) Occupancy, operation or use. It shall be unlawful for any person to occupy or use, or allow another person to occupy or use any portion of any land, building, structure, or dwelling unit which has been placarded, or to operate or use placarded equipment or installations except as necessary to repair, remedy or abate the condition.

(3) It shall be unlawful and a violation of this chapter for any person to deviate in any way from the activity permitted by the code enforcement official pending resolution of the hazardous or unsafe condition, or to disobey a lawful order of the code enforcement official. In addition to any other penalty provided for herein, the Director of Engineering Services may revoke any plumbing permit that has been issued.

(4) Tampering and removal. It shall be unlawful for any person to deface, mutilate, alter, or remove any placard posted.

§153-54. Stop-work order. Whenever the Director or code enforcement official finds that any work has been performed in a manner contrary to the provisions of this Chapter or is dangerous or unsafe, he is authorized to issue a stop work order with or without a notice of violation.

A. Contents and service. A stop-work order shall be in writing and shall state the conditions under which the work may be resumed. The stop work order shall be served upon the permit holder, or property owner or his agent, or the operator, occupant, or person in charge of the property, or other person responsible for the work, condition or violation by personal delivery, or by certified mail return receipt requested and addressed to the last known address. In all instances the stop work order shall be posted in a

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conspicuous place on the property, building, or structure, and equipment that is the subject of the notice, as access permits.

B. Upon the issuance of a stop-work order, all activities shall be immediately suspended until the stop work order is rescinded. Notwithstanding the issuance of a stop-work order, the Director or code enforcement official may, in his sole discretion, permit any part of the work to continue if, in his judgment, it is necessary to protect the health and safety of persons; or to preserve and safeguard the premises or any portion of the building, equipment, installations, or structures located therein.

C. Cessation of work. It shall be unlawful and a violation of this chapter for any person to perform any work or other activity, or to allow the work or activity to continue in violation of a stop-work order issued by the Town; or to deviate or to allow the work to deviate in any way from the work or activity permitted by the Town pending resolution of the violation or stop-work order; or to disobey a lawful order of the Town. In addition to any other penalty provided for herein, the Director of Engineering Services may revoke any plumbing permit that has been issued.

D. Tampering. It shall be unlawful for a person to mutilate, destroy, tamper with or remove a stop-work order posted or affixed upon a premise, building, structure, installation or equipment without authorization from the code enforcement official.

§153-55. Issuance of a summons.

Nothing in this Chapter shall be construed to limit or abridge the right of the Director or code enforcement official to issue a summons for a violation thereof in lieu of a notice of violation, with or without a stop work order or placard.

§153-56. Penalties for offenses.

A. Any person who violates or causes another to violate a provision of this Chapter shall be deemed to have committed an offense against this Chapter and shall be subject to a fine or penalty as follows:

(1) Upon a first conviction thereof, a fine or penalty of not less than two hundred fifty (\$250) dollars and not more than one thousand five hundred (\$1,500) dollars; and

(2) Upon a second conviction for an offense occurring within two (2) years of the first conviction, a fine or penalty of not less than seven hundred and fifty (\$750) dollars and not more than two thousand five hundred (\$2,500) dollars; and

(3) A third or subsequent conviction for an offense occurring within five (5) years of the first conviction, a fine or penalty of not less than one thousand five hundred (\$1,500) dollars and not more than three thousand five hundred (\$3,500)

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or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment; and

(4) Each day, or part thereof, a violation continues shall constitute a separate and distinct offense, punishable in like manner. Written notice of a violation is not a prerequisite for the imposition of such fine, penalty and or punishment unless the subject of the prosecution is the noncompliance with such notice.

B. The fine and penalty for a violation of the Plumbing Code of New York State, Fuel Gas Code of New York State, or the Mechanical Gas Code of New York State shall be as set forth therein; and

C. In addition to the penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to five hundred (\$500) dollars per day, or any part thereof; an action to compel compliance with or to restrain by injunction the violation of this chapter; and other remedies which in the opinion of the Town Attorney may seem necessary and proper.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE

*** INDICATES NO CHANGE TO PRESENT TEXT

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AWARDING A FRANCHISE AGREEMENT TO LONG ISLAND KAYAK EXPERIENCE, INC. TO CONDUCT A KAYAKING PROGRAM FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION.

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town of Huntington is desirous of offering a series of kayaking and stand up paddle programs to youths and adults in the community at various locations throughout the Town; and

WHEREAS, requests for proposals were received on January 9, 2015, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for conducting a kayaking program, RFP No. 2015-01-001 and the same were opened and read aloud; and

WHEREAS, Long Island Kayak Experience, Inc., 960 Wheeler Road #5633, Hauppauge, New York 11788 is the sole, successful, responsible, responsive proposer; and

WHEREAS, this agreement regarding a kayaking program at various locations throughout the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(15), (c)(20) and (c)(27) and therefore no further SEQRA review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 10th day of March, ____ 2015 at **2:00** ____ P.M. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider awarding a franchise agreement for conducting a kayaking program to Long Island Kayak Experience, Inc. The program fees for a 2 and ½ hour day, four day a week Youth Lesson will be \$250.00 per session with a 20% discount for multiple sessions. A full day with both kayak and stand up paddle will be \$400.00 youth/week. Group Tours will be \$65.00 per person per two hour tour. The Town will receive 20% of the total revenue generated and recorded into Operating Budget Item A2006. The contract period shall be effective for a two (2) year term commencing upon the execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the agreed upon prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER
AUTHORIZING VARIOUS ACTIONS BE TAKEN UPON CERTAIN PROPERTIES
DESIGNATED AS BLIGHTED IN ACCORDANCE WITH CHAPTER 156, ARTICLE
VII, § 156-60 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: February 10, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board by Resolution 2011-358 enacted Local Law No.21-2011 Amending the Code of the Town of Huntington to establish code provisions affecting Property Maintenance and Nuisances for structures and properties within the Town; and

WHEREAS, there are conditions existing upon the locations set forth in Schedule "A" attached hereto and made a part of this Resolution which constitute a Blighted Property as defined in Article VII of Chapter 156; and

WHEREAS, the owner(s) of the properties listed in Schedule "A" have failed to respond to the Notice(s) of Violation(s) issued by the Department of Public Safety and have not taken sufficient steps to correct the blighted conditions listed in the Notice of Violation(s); and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. (c) (33) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" as Blighted Properties as defined by Chapter 156, Article VII; and

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and a notice stating that failure to enter into a Restoration Agreement or failure to correct such blighted conditions within ten (10) days of mailing of the Notice shall result in the Town taking all steps necessary to correct the blighted conditions existing upon their property at the property owner's expense; and

HEREBY DIRECTS the Director of Planning and Environment to place such blighted properties on the Blighted Property Inventory list; and

HEREBY SCHEDULES a public hearing to be held on the 10th day of March, 2015 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

VOTE: AYES: **5** NOES: **0** ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing
Actions by Town Board for Failure to Comply or Abate Violations**

EXHIBIT	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
99	1000 W. Jericho Tpke. Huntington, NY 11743	0400-189 00-01.00-001.000	One Thousand C LLC 97 Beach Road Great Neck, NY 11023	8/26/2013	\$ 5,000.00

2015-101

SCHEDULE A
Schedule Public Hearing

2015-LDC-1

RESOLUTION RESCINDING ELECTRONIC LDC RESOLUTION 12/4/2014 (1) AND AUTHORIZING THE PURCHASE OF NECESSARY TRAINING AND EQUIPMENT FOR UTILIZATION AT HUNTINGTON OPPORTUNITY RESOURCE CENTER, 1264 NEW YORK AVENUE, HUNTINGTON STATION, NY

Resolution for Local Development Corporation Board meeting dated: February 10, 2015

The following resolution was offered by: **MEMBER EDWARDS**

and seconded by: **CHAIRMAN PETRONE, MEMBER BERLAND**

WHEREAS, pursuant to Section 1411 of the Not-for-Profit Corporation Law, a town may cause a local development corporation to be incorporated by public officers or private individuals to, among other things, relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities, instruct or train individuals to improve or develop their capabilities for such jobs, and encourage the development of, or retention of, industry in the community or area; and

WHEREAS, therefore, the Town of Huntington Local Development Corporation (the "Corporation") was formed as a not-for-profit local development corporation of the State of New York during 2010, with the public or quasi-public objectives of, among other things, training community residents in the development of their business and living skills, reducing adult unemployment, promoting maximum adult employment by bettering, facilitating and maintaining adult job opportunities, and stimulating economic growth within the Town of Huntington; and

WHEREAS, consistent with the foregoing objectives, the charitable or public purposes stated in the Corporation's certificate of incorporation include (i) relieving and reducing adult unemployment; (ii) promoting, facilitating and providing for additional and maximum adult employment; (iii) bettering and maintaining adult job opportunities; (iv) instructing or training individuals to improve or develop their capabilities for such jobs; and (v) enhancing economic development and business opportunities by engaging in, among other activities, (a) resident training and development; (b) providing managerial, technical, and administrative advice, counseling and/or training, and providing, furnishing and/or procuring support to assist residents to develop necessary business and living skills; (c) disseminating information and furnishing advice, technical assistance, and acting as a liaison with federal, state, and local authorities with respect thereto; (d) acquiring by purchase personal property; and (e) engaging in activity to foster and encourage the location or expansion of industrial and/or manufacturing plants; and

WHEREAS, in addition to the foregoing, the Corporation has all the powers conferred by Paragraph (c) of Section 1411 of the Not-for-Profit Corporation Law, and pursuant to its certificate of incorporation, it may do any other act or thing incidental to or connected with its stated purposes and/or in the advancement thereof; and

2015-LDC-1

WHEREAS, The Town of Huntington Community Development Agency, in partnership with Suffolk County Department of Labor and the Department of Social Services, has launched Huntington Opportunity Resource Center ("HORC") initially at 1264 New York Avenue and permanently at 1268 New York Avenue in Huntington Station to assist residents with resume preparation, job searches, career options, access to training, tips for interview success, job readiness, DSS applications, not-for profit service referrals, etc.; and

WHEREAS, because the goals and activities of HORC are aligned with the objectives, purposes, and powers of the Corporation, the Corporation wishes to liaison and work closely with it to enhance economic development and business opportunities for residents of the Town of Huntington by purchasing for utilization at 1264 New York Avenue, Huntington Station, New York, training and equipment necessary for instruction, skills development to improve or develop needed capabilities for available employment; provide managerial, technical, and administrative advice, counseling and/or training; provide support to assist in the development of necessary business and living skills; and disseminate information and furnish advice, technical assistance for such jobs.

WHEREAS, the subject of this resolution is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

HEREBY

RESCINDS electronic TOWN LDC Resolution 12-1-14 (1) as a result of a subsequent New York State Comptroller's opinion restricting certain public authorities from issuing grants; and

AUTHORIZES the Executive Director to purchase necessary training and equipment for utilization at 1264 New York Avenue, Huntington Station, NY for an amount not to exceed the sum of THIRTY THOUSAND (\$30,000.00) DOLLARS and upon any such terms as may be imposed by the Corporation's counsel.

VOTE:	AYES:	5	NOES:	0	ABSTENTIONS:	0
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Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.